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**Harvard College Library**

FROM THE

**BRIGHT LEGACY.**

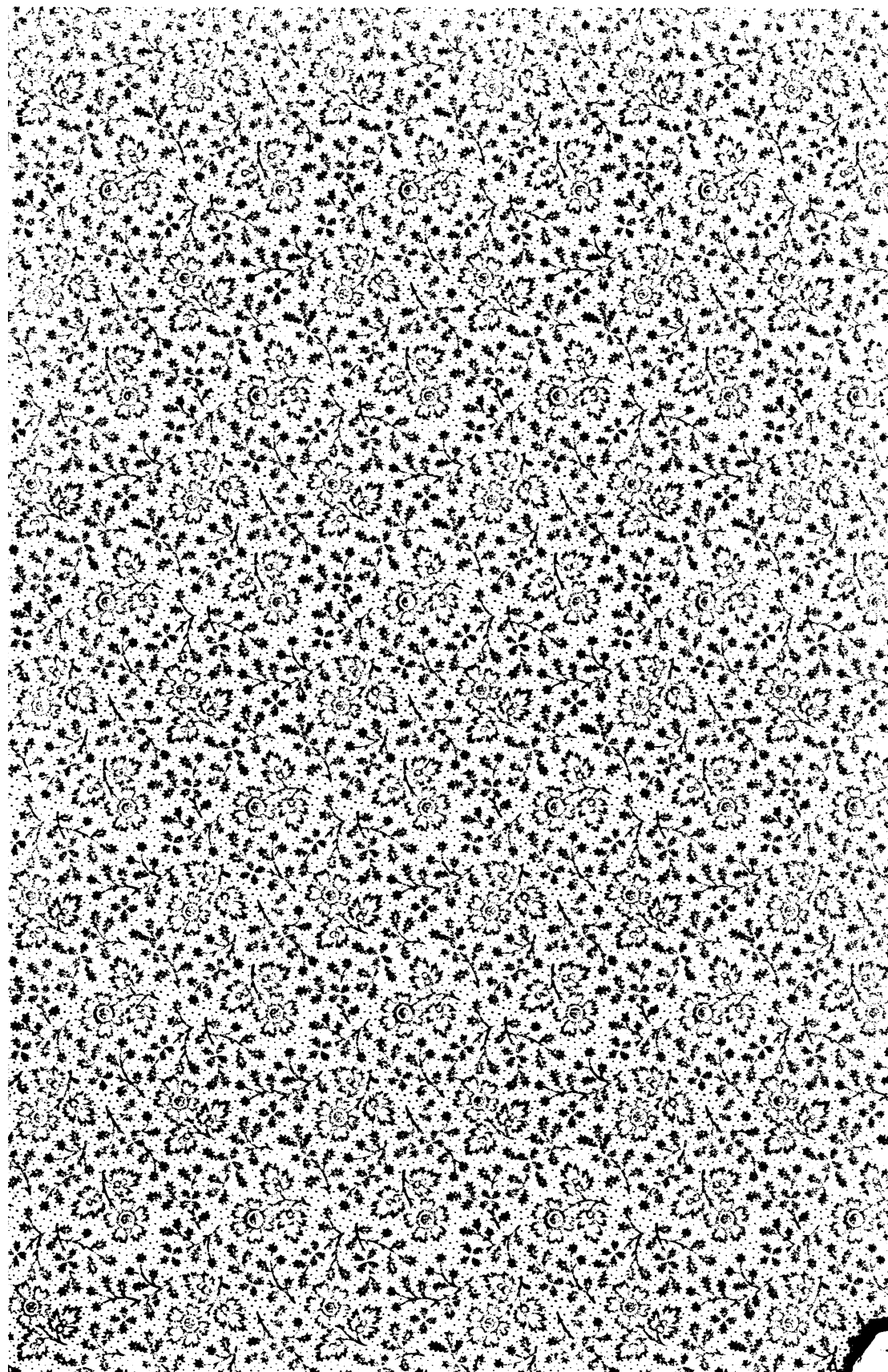
Descendants of Henry Bright, jr., who died at Watertown, Mass., in 1696, are entitled to hold scholarships in Harvard College, established in 1880 under the will of

**JONATHAN BROWN BRIGHT**

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Received 22 Sept., 1902















GRANITE CAPITOL OF TEXAS

**YEAR BOOK FOR TEXAS,  
1901.**

**PUBLIC OFFICIALS AND DEPARTMENTS UNDER THE REPUBLIC AND  
STATE, INSTITUTIONS, IMPORTANT EVENTS, OBITUARIES OF  
DISTINGUISHED DEAD, INDUSTRIAL DEVELOPMENT,  
STATISTICS, BIOGRAPHICAL SKETCHES, AND  
HISTORY NEVER BEFORE PUBLISHED.**

**BY**

**C. W. RAINES,  
STATE LIBRARIAN,**

**EDITOR OF "LUBBOCK'S MEMOIRS," AND AUTHOR OF A "LIFE OF SANTA ANNA"  
AND A "BIBLIOGRAPHY OF TEXAS."**

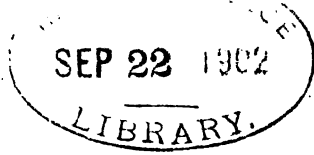
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1902.**

Reg 342



Bright Fund.

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**TO THE TEXAS VETERANS,  
SURVIVORS OF THE BAND OF HEROES  
WHO, BY THEIR VALOR,  
ESTABLISHED AND MAINTAINED THE REPUBLIC OF TEXAS  
TILL ITS MERGER IN THE AMERICAN UNION,  
THIS VOLUME IS  
AFFECTIONATELY DEDICATED BY THE COMPILER  
C. W. RAINES.**

## PREFACE.

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This Texas Annual for the opening year of the century is the first of the series contemplated. Considering the high rank and growing importance of Texas in the Union, the idea of a strictly Texas Year Book is not impracticable. The erstwhile outlying Mexican dependency, vitalized by the genius of Austin, and Americanized by the statesmanship of Houston, is already greater in population than the thirteen united colonies that won their independence from Britain. The scepter of supremacy among the States of the Union will doubtless be swayed in the not distant future by the mighty commonwealth on the Gulf. To this high destiny, Texas is devoting all her energies; and development is the order of the day on all lines—industrial, educational, and moral.

The pressing duties of the State Library kept me from the active work of preparing this volume, and I had to secure for an assistant the services of an expert in literary matters. This was Mr. E. H. Loughery, a versatile writer, who prepared his papers so well that, as to them, I had little to do beyond supervision, and correction when needed.

I also received invaluable assistance from my daughter Lula, now Mrs. N. Wilson, of St. Jo, in this, as in all my other publications, including a Bibliography of Texas.

The contributors to the YEAR BOOK are specially thanked for their articles.

A general acknowledgment is here made for courtesies extended us while getting the material for publication.

The book is now put forth without apology, to stand or fall on its merits.

C. W. RAINES.

# THE YEAR BOOK FOR TEXAS,

1901.

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## ADD-RAN UNIVERSITY, WACO.

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The following historical sketch is from the University Catalogue for 1900-1901:

"In 1873 J. A. Clark and his two sons, Addison and Randolph, began a private school in ~~Thorp's~~ Spring, Texas. A charter was almost immediately secured under the name of Add-Ran College. Ample buildings were gradually erected and the school flourished, so that in 1890 the College became the property of the Christian Church of Texas, under the title of Add-Ran Christian University.

"In 1895, on Christmas day, the institution was moved to Waco, the most central and one of the largest cities in Texas. For a time after its removal the growth of the institution was retarded by certain losses and adverse influences, which of necessity attend all transplanting, but it has now become completely adjusted to its new surroundings, and feels very strongly the impulse of a new life. The splendid work of the past session, the increased enrollment, and the general awakening of interest in Add-Ran throughout the State, give promise of a forward movement such as she has not before known in her history.

"\* \* \* The campus comprises fifteen acres of level land, well suited to athletic sports. Many beautiful growing trees adorn it, and recent improvements have made the grounds ideal for a University site. The high ground on which the campus lies gives a commanding view, not only of the busy city beneath, but of the beautiful Brazos Valley, which stretches many miles away.

"\* \* \* The main building is a solid brick structure, commodious and comfortable, four stories high, with 115 rooms. It was erected at an approximate cost of \$120,000.

"\* \* \* The Young Ladies' Home is a handsome three-story structure, erected within the last year. It is a monument to the generosity of the Texas Christian women, Sunday schools, and personal friends of the institution, through whose liberality the entire cost of the edifice was met. \* \* \* It is probably not surpassed by any similar building in the State.

"The prospects for Add-Ran to grow into a great University were never so promising as now. Various obstacles necessarily incidental to the transplanting of the institution from its old to its new site have been overcome. Evidences of a new and healthful, vigorous life are seen on

every hand. The various chairs are filled by young, aspiring men who represent the best phases of college life acquired in the foremost Universities of this country. There has been a substantial gain in attendance. Two new teachers are added in anticipation of a large increase the coming session. \* \* \* Improvements on the buildings and grounds will be looked after. Then will come a move for liberal endowment."

*Faculty:* Elbert C. Snow, A. M., Acting President; six professors, principal of the Commercial School, Instructor in Shorthand and Type-writing, director of the College of Music, teacher of Voice Culture and Choral Singing, and principal of School of Oratory and Dramatic Art.

*Lecturers by Regular Appointment:* Addison Clark, LL. D., on Christian Evidences; J. W. Lowber, Ph. D., LL. D., on Philosophy of Civilization, Sociology, and Comparative Religions; J. B. Sweeney, Ph. D., LL. D., on the Holy Land. This course of lectures has been given for a number of years, and will be supplemented during 1901-1902 by short courses of lectures before the Bible classes by Revs. B. B. Sanders, G. A. Faris, Geo. Bush, E. E. Faris, M. M. Davis, C. McPherson, and Tom Smith. An announcement has been published in the newspapers to the effect that the name of the institution is to be changed from "Add-Ran University" to "Texas Christian University."

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### ADJUTANT GENERAL'S DEPARTMENT.

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Adjutant General, Thomas Scurry, salary \$2,000 per annum; E. M. Phelps, Chief Clerk, salary \$1,200 per annum.

Total appropriation for the support of the department for the six months ending August 31, 1901, \$23,045; unexpended balance, \$147.26.

The general appropriation bill for the two years ending August 31, 1903, passed at the Second Called Session of the Twenty-seventh Legislature, and approved, after the veto of certain items, October 2, 1901, shows the following for the Adjutant General's Department for each of the two years: Salary Adjutant General, \$2,000; salary Chief Clerk, \$1,200; salary porter, messenger, and armorer, \$360; stationery, postage, and telegraphing, \$700; incidental expenses, \$50; for the maintenance and support of the ranger force in the suppression of lawlessness and crime, \$30,000; payment of and transportation and subsistence for the Volunteer Guard when called into active service under the law, \$5,000; transportation and maintenance of the Volunteer Guard for camp of instruction, \$10,000; provided, that said appropriation shall not be used if any city bids \$10,000 or more to secure the encampment; handling and transportation of ordnance, stores, and quartermaster's supplies, labor in arsenal, and repairs to arms, and inspection of arms and troops, \$1,000—a total of \$69,920, the amount for encampments, \$20,000, being conditional.

The assistants in the Adjutant General's Department are: L. P. Sieker, Acting Assistant Adjutant General and Quartermaster of the Frontier Battalion, with the rank of Captain, appointed April 8, 1899; and E. M. Phelps, Chief Clerk Adjutant General's Department, rank of Captain, appointed February 1, 1899. General Scurry was Major of the

1st Texas Volunteer Infantry, U. S. Army, from May 14, 1898, to January 15, 1899.

The last report of the Adjutant General to Governor Sayers, dated November 24, 1900, notes the condition of the Volunteer Guard at the beginning of his administration and their reorganization consequent on the war with Spain. The splendid work of the Volunteer Guard in the maintenance of order at Galveston after the cyclone of September 8, 1900, and in co-operating with the civil authorities in the enforcement of law in Sabine, Waller, Polk, and San Augustine counties, are set forth in sufficient detail. Included also are the views of the Adjutant General on the riot at Fort Ringgold between the citizens and the negro soldiers at that place with an account of the service of Texas Volunteers in the Philippine Islands. In connection with the interest of the military service in Texas the Adjutant General makes pertinent remarks and offers sundry recommendations as to a new system of military regulations.

The service of the Rangers is then reviewed at length with a recommendation of the enlargement of their scope of authority to make arrests.

The report closes thus:

"The Texas Volunteer Guard and the rangers have each been a most efficient and reliable force in their respective spheres. The officers and men of each of these forces have promptly responded to every order for service. Their work in every instance has been effective, and the results have been for the good of the communities to which they have been sent. The work devolving upon this department for the past two years has been more than usual, and the force of the office has not been sufficient to accomplish the work as it should have been done. However, the Division and Brigade Commanders and the officers generally have rendered me every assistance and encouragement possible. Capt. L. P. Sieker, Quartermaster, and Capt. E. M. Phelps, Chief Clerk of this department, have each been earnest, faithful and untiring in their efforts to accomplish the work committed to them.

"To your Excellency I am deeply grateful for your courteous treatment and good advice under all circumstances, and for your confidence under the most trying conditions.

"Respectfully submitted,

"THOS. SCURRY,

"Adjutant General."

#### **History of Department.**

The position of Adjutant General in this State is analogous to that of Adjutant General of the United States, and subsequent to the annexation of Texas was created in lieu of the office of Secretary of War and Marine, that existed during the later years of the Republic of Texas. (See War, Secretaries of, Republic of Texas.)

The following table and accompanying explanatory matter will give the reader a complete history of the office, and list of incumbents who have filled it, from the date of its creation by law to the present time:

## ADJUTANT GENERALS.

	Appointed.	Confirmed by Senate.	Qualified.	Remarks.
Hugh McLeod .....	..... 1840	.....	.....	An official letter to McLeod in 1841, shows him to have been serving as Adjutant General at that time.
Wm. G. Cooke.....	.....	Apr. 27, 1846	.....	
Chas. L. Mann.....	Dec. 24, 1847	.....	Jan. 1, 1848	
John D. Pitts.....	.....	Mar. 4, 1848	Mar. 7, 1848	
John S. Gillett.....	Nov. 24, 1851	.....	.....	
A. B. Norton.....	Apr. 6, 1860	.....	.....	Appointed by Gov. Houston.
Wm. Byrd.....	Mar. 25, 1861	.....	.....	Appointed by Gov. Clark.
J. Y. Dashiell.....	Nov. 11, 1861	.....	.....	Adjutant and Quartermaster General, under Act of Feb. 14, 1860.
J. Y. Dashiell.....	Jan. 3, 1862	.....	.....	Adjutant and Inspector General, under an Act, approved Dec. 25, 1861, to perfect the organization of State troops.
D. B. Culberson.....	Nov. 17, 1863	.....	Nov. 18, 1863	Resigned in 1864.
John Burke.....	Oct. 31, 1864	.....	Nov. 1, 1864	
D. R. Gurley.....	Jan. 1, 1867	.....	Feb. 1, 1867	Resigned July 24, 1867.
James Davidson.....	June 21, 1870	.....	June 24, 1870	
F. L. Britton.....	Nov. 15, 1872	.....	Nov. 15, 1872	
Wm. Steele.....	.....	.....	Jan. 20, 1874	
Wm. Steele.....	June 2, 1876	.....	June 14, 1876	
John B. Jones <sup>1</sup> .....	Jan. 25, 1879	.....	Jan. 27, 1879	
John B. Jones.....	Jan. 20, 1881	.....	Jan. 24, 1881	Died July 19, 1881.
W. H. King.....	July 25, 1881	.....	Aug. 1, 1881	
W. H. King.....	Jan. 19, 1883	.....	Jan. 29, 1883	
W. H. King.....	Mar. 5, 1885	.....	Mar. 11, 1885	
W. H. King.....	Jan. 24, 1887	.....	Feb. 1, 1887	
W. H. King.....	Jan. 15, 1889	.....	.....	
W. H. Mabry <sup>2</sup> .....	Jan. 22, 1891	.....	Jan. 23, 1891	
W. H. Mabry.....	Jan. 21, 1893	.....	Mar. 31, 1893	
W. H. Mabry.....	Jan. 17, 1895	.....	Feb. 5, 1895	
W. H. Mabry.....	Jan. —, 1897	.....	Feb. 11, 1897	
A. P. Wozencraft.....	.....	.....	May 5, 1898	
Thomas Scurry.....	Jan. 18, 1899	Jan. 18, 1899	Jan. 18, 1899	
Thomas Scurry.....	Jan. 17, 1901	Jan. 19, 1901	Jan. 19, 1901	

The office, on somewhat the basis it now occupies, was created by an act of the Texas Congress, approved January 28, 1840, Section 3 of which is as follows:

*"Be it further enacted,* That there shall be attached to the War Department a bureau, whose head shall be styled adjutant and inspector general, and who shall be allowed two clerks," etc.

<sup>1</sup>John B. Jones was appointed Major and Commander of the Frontier Battalion May 2, 1874, and as such rendered valuable service in checking Indian depredations and driving out of the frontier country the desperadoes who infested it after the war between the States.

<sup>2</sup>Gen. Mabry resigned May 5, 1898, to accept the Colonelcy of the First Texas Infantry, and, after being stationed for a time in Florida, went with his command to Cuba, where he died in January, 1899, at Havana. A soldier by training and a gentleman of chivalric and noble qualities, his death, occurring as it did in the prime of a useful manhood and what seemed the career for which he was best fitted, was deeply deplored by the people of the State. January 12, 1899, the Senate of the Twenty-sixth Legislature unanimously adopted the following resolution: *"Resolved,* That when the Senate adjourns today that such adjournment be as a mark of respect to the memory of Gen. W. H. Mabry, and those other gallant officers and men who laid down their lives for their country in the recent war with Spain; and also, as a mark of the respect and sympathy of this body, with the families of such deceased soldiers of Texas." Through the influence of United States Senator C. A. Culberson, school companion and life-long friend of Gen. Mabry, the United States Congress passed an act giving a life pension to Mrs. Mabry, a substantial testimonial to departed and living worth that speaks more eloquently than words.

The First Legislature passed the following act (approved May 13, 1846):

*"Be it enacted by the Legislature of the State of Texas:* That the Adjutant General be required to procure a seal for the authentication of all instruments of writing emanating from his office, with the following device: said seal shall be the same as that heretofore used in the War Department, except the words 'War Department, Republic of Texas,' which should be changed to 'Adjutant General's Office, State of Texas.'"

The general appropriation bill, also approved May 13, 1846, contains the following:

"\* \* \* For the salary of the Adjutant General, annually, and for closing up the business of the late War and Marine Department, \$1,000; for contingent expenses of Adjutant General's office, \* \* \* \$300."

The powers and duties of the Adjutant General were increased by an act passed in 1848, to which Alexander makes the following reference in his digest: "The Act of February 2, 1848, gives to the certificate of the Adjutant General all the effect which the joint resolution of May 24, 1838, gave to the certificate of the Secretary of War. The latter act is, therefore, in effect a revival of the former. The State vs. the Heir of Mason."

The office was abolished in 1856, and the duties attached to it (they then largely consisted of passing on claims for land, founded on military service) devolved upon the Commissioner of the Court of Claims, a tribunal established that year to receive, examine, and pass upon the validity of claims against the State.

The office was revived by an act approved February 14, 1860, which provided for the organization of the militia on a practically war footing—sixteen divisions, made up of thirty-two brigades. This law vested the power of appointment in the Governor, independent of concurrence upon the part of the Senate, and fixed the rank of the Adjutant General as that of Colonel of Cavalry and his salary at \$500 per annum.

After Texas seceded and preparations began for raising and mustering in troops for the field, the position became an important and responsible one, and the Adjutant General's salary was increased to \$2,000 and he was allowed an assistant quartermaster at \$1,200 a year, three clerks at an annual salary of \$900 each, and adequate appropriations for contingent expenses.

In reconstruction times the Twelfth Legislature passed an act, approved June 24, 1870, that provided: "The Governor shall appoint one Adjutant General, with the rank of Colonel, who shall do and perform all the duties of Adjutant General, and such other as may be required of him by this act and other laws of the State. \* \* \* The Adjutant General shall also be Quartermaster and Commissary General."

Since the above enactment various laws have been passed that have augmented the duties of the office, until it is now one of the most important, of an appointive character, under the State government.

The Adjutant General is appointed by the Governor, by and with the advice and consent of the Senate, ranks as Brigadier General, and attends to all business connected with the organization and direction of the Volunteer Guard of the State and ranger force. He is ex officio Chief of Staff, Quartermaster General, Inspector General, Paymaster General, and Chief of Ordnance.

## ADMINISTRATIONS.

### Permanent Council.

The first step in the progress of the Texas Revolution was the organization of committees of vigilance and safety in the various municipalities; the second, the calling of a Consultation of delegates, elected by the people, to organize a provisional government and take such other action as might be deemed necessary; and the third, the formation of a Permanent Council to act as a central governing body until delegates to the Consultation could be elected, meet, and devise other and more effective means.

The labors of the Permanent Council extended from October 11 to November 1, 1835, and were most important. Legislative and executive functions, civil and military, were assumed and exercised with spirit and wisdom, to the great advantage of the patriot cause; a contractor for army supplies was appointed; arms, munitions, and food were forwarded to the troops besieging Bexar; commissions were issued to officers of volunteer companies; addresses to the people were prepared, printed, and distributed; dispatches were sent by couriers, conveying information to the various local committees of safety; a postoffice department was provided for, and a character was imparted to the struggle that, at the beginning, placed it upon a high plane.

As the names of the members of the Permanent Council and an account of their proceedings have never appeared in any Texas history, the following documents and facts have been collected from original records and are presented to the readers of the Year Book:

The Permanent Council owed its existence to the following circular letter sent to, and favorably acted upon, by local committees of vigilance and safety:

"COMMITTEE OF SAFETY OF THE JURISDICTION OF AUSTIN.

"SAN FELIPE, Oct. 1, 1835.

"Enclosed are copies of letters this moment received by way of Cole's settlement. They speak for themselves. The district of Washington is turning out and will march to Gonzales, as fast as possible. The urgency of the occasion renders it unnecessary to appeal to the patriotism of the people. Now is the time for action!

"The volunteers from the lower country would, perhaps, do well to rendezvous at Beason, on the Colorado, as soon as possible.

"This committee proposes that one of the members of each of the other committees of safety be appointed to come to this place without one moment's delay, and remain here as a PERMANENT COUNCIL. Such a measure is now deemed to be indispensably necessary.

"S. F. AUSTIN,  
"Chairman of Com."

The minutes of the PERMANENT COUNCIL give the following as part of the proceedings of that body on first assembling:

"COUNCIL ROOM, Oct. 11, 1835.

"The President of the Committee of Safety and Vigilance of San Felipe, Col. Stephen F. Austin, having considered it important that he



should proceed to the headquarters of the army, left this place for that purpose.<sup>1</sup>

"The remaining members of the aforesaid committee, towit, Col. Wm. Pettus and Gail Borden, together with R. R. Royall, a member from the Committee of Vigilance of Matagorda, and Joseph Bryan, a member of the Committee of Liberty (these two gentlemen having come from those places at the request of the committee of San Felipe to form a Permanent Council until such time as the General Consultation of Texas can be held), assembled this day—when it was proposed that another member should be added to the body, towit, a secretary, and that R. R. Royall should be elected president—which propositions were carried into effect—C. B. Stewart<sup>2</sup> added to the committee, etc.,—in pursuance of the above."

The minutes also contain the following:

"Oct. 13: This day received from W. P. Huff and C. B. Stewart the returns of an election held by the citizens of San Felipe for a captain of patrol. Stephen Miller, being unanimously elected, presented himself to the Permanent Council, praying that he be commissioned in form; whereupon, the President and Secretary were requested to issue to him such commission, with a draft of such regulations as they may think most fitting. The Commission, accompanied with regulations, were accordingly executed in form and given to Capt. Miller."

"ORDER TO CAPT. WM. HALL.

"SAN FELIPE, 14th October, 1835.

"Capt. Wm. Hall:

"You will please proceed with all possible dispatch to fill the call of Col. Austin for supplies for the army and forward them to headquarters with all possible dispatch, contracting for all such things as may be necessary and giving your official receipt for the same and, in case of a refusal to obey your demand, and knowing it to be of vital importance to the army, you will press into service any valuables that may be necessary to a speedy and prompt co-operation with our forces at headquarters.

"Relying, at the same time, upon your prudence and moderation to so execute this order as to distress none and produce satisfaction, if possible.

"R. R. ROYALL,

"C. B. STEWART,

"Prest., etc.

"Secty."

Oct. 14: "Paid Geo. Huff one hundred dollars to go to Columbia and forward the ammunition, artillery, etc., to the army—this amount to defray expenses—with an order to press four wagons into service. Borrowed the said \$100 from Joseph Cochran, for which the committee gave a receipt, and it is to be taken out the land funds in his hands on deposit in money."

Oct. 15: "Wrote Col. S. R. Fisher, President of the Committee of Matagorda to send sugar, coffee and salt to camp and to forward to this

<sup>1</sup>Having received letters advising him that his presence was desired with the army, Austin left San Felipe October 8th, and, arriving at Gonzales on the 11th, was that day, by company elections, unanimously chosen Commander-in-Chief.

<sup>2</sup>Stewart served as Secretary until October 18th, J. G. W. Pierson from October 18th to October 20th, and A. Houston from October 20th until November 1st.

committee a bill of the articles so sent: 'We have some funds for these things. Draw on this Council. We would like, however, to be advised how far you may be able to comply with this request, that our arrangements may be shaped accordingly.' [Signed R. R. Royall.]"

Oct. 17: "Confirmed and commissioned William Sims Hall contractor for the army. Received the three officers captured by Capt. Geo. M. Collingsworth at La Bahia, who were turned over to this Council as prisoners of war. Gave a receipt for the same. Names and rank: Col. Francisco Sandoval, Capt. Manuel Savarigo, and Ensign Antonio Garza.

"\* \* \* The members elected to the Consultation having met (agreeable to the purposes of their election) on the 16th and not being a quorum to proceed to business, adjourned, till this day, when, meeting and not finding a quorum, the major part having taken the field, they resolved on adjourning till 1st of November, or as soon as a quorum could be assembled, and (by leave of the Permanent Council) it was resolved also that those members who could not conveniently go to the army should be attached to and become members of the Permanent Council; whereupon, agreeable to a call of the President of the Council, they met at 9 o'clock a. m., when, the House being called to order the following members appeared: Viesca, A. G. Perry, Jas. W. Parker, J. G. W. Pierson, Saml T. Allen, Alex Thompson; Austin, Wm. Pettus; Matagorda, R. R. Royall, Ira R. Lewis; Harrisburg, Jesse Batterson, Lorenzo de Zavala.

"\* \* \* Resolved, That the President of the Council be authorized to take charge of and provide for the Mexican prisoners today received from the headquarters of the volunteer army."

Later in the day October 17th, A. Houston, Daniel Parker, Henry Millard, Peter J. Menard, Hugh B. Johnston, A. B. Hardin, and Claiborne West presented their certificates and were admitted to seats as members of the Permanent Council.

Oct. 18: James W. Parker applied for leave of absence, which was granted.

Sunday, Oct. 19th, James B. Wood appeared and took his seat, and a few days later Joseph L. Hood and Jacob Garrett.

Monday, Oct. 20: "On motion of Mr. Perry, the place of meeting of the General Consultation, Nov. 1, 1835, of all Texas, was determined as follows:

"*Resolved*, by the Permanent Council of Texas, that the General Consultation of Texas be held at Washington on the first of Nov., 1835, as first proposed by the Committee of Columbia. Adopted without a dissenting voice.

"\* \* \* On motion of Joseph L. Hood, the President presented a letter of Gen. S. F. Austin, dated the 13th inst., in relation to a parole of honor for the officers, prisoners of war, taken in battle at Goliad. Whereupon, be it resolved that we regret the necessity of detaining them, but that the President be instructed to give them the privilege of the town upon their written parole of honor, and such other privileges as he may grant. Be it also resolved, that said officers be allowed the privilege of writing to their friends, submitting it to the inspection of the President.

"R. R. ROYALL, Prest.

"J. G. W. PIERSON, Secty.

"\* \* \* On motion of P. J. Menard; *Resolved*, That a committee of five be appointed to inquire into the state of the public funds and, if necessary, report a plan for replenishing them, for the purpose of defraying the expenses of the army, etc. The chair appointed Zavala, Houston, Menard, Pettus, and Thompson."

Oct. 21: "P. J. Menard offered the following resolution, which was adopted:

"*Be it resolved*, That the committees of each jurisdiction of Texas are hereby authorized to take such measures as may be necessary to forward troops on their march, forwarding their accounts for payment to this Council and taking care to preserve duplicate accounts of all drafts sent; and, be it also resolved, that committees of safety of the different jurisdictions may commission Captains elected to command companies, and draft on this Council for the same, taking care to accompany the first draft with a duplicate of the commission."

Report adopted Oct 21: "The committee to whom was referred the subject of the finances of Texas report that the public coffers should be replenished; therefore,

"*Be it resolved*, That Jos. L. Hood, Jacob Garrett, and Peter J. Menard be appointed public agents to unite with the Committees of Safety of the jurisdictions of Nacogdoches and San Augustine to demand, receive and receipt for all public moneys in the hands of officers and other public agents arising from the sale or entries of lands, stamp paper, or any other dues collected as public money in the name of the Mexican government, or the State of Coahuila and Texas; also, in the name of the \* \* \* Council of Texas to contract and receive loans of money, executing such obligations as the case requires, in the name of this Council. \* \* \* Said agents or committees are required forthwith to transmit to the President of this Council all sums so collected, or, after the Consultation shall meet, to the President of that body for the use and benefit of the cause of the Good People of Texas. \* \* \*

"*And be it also resolved*, That R. R. Royall, President of the Council. Z. Boardon, and G. A. Monney be and are hereby appointed to supervise the collection of all dues of a similar nature, with the same powers and duties for the other jurisdictions not above named, excepting from these resolutions all sums which may be tendered for fraudulent titles, declaring in all such cases that may hereafter be made to appear the sums shall be returned with interest.

"*And be it also resolved*, That each committee [local committees of safety] associated with said agents be and are hereby required to publish to the settlers in Texas under the laws of colonization and purchase to come forward and make payment within the time prescribed by the laws, under such penalties as the laws may provide; and, further, if in their judgment the case justifies, they shall appoint a suitable and capacitated person to collect the same, keeping a regular account of all acts which they may do, requiring such persons to give bond in the name of their municipalities in a sufficient sum to secure the faithful performance of the office, assuring them at the same time that the General Consultation will allow them full compensation for the trouble and great responsibility on their hands. And further the \* \* \* Council of Texas calls upon the Ayuntamientos and all other authorities to aid in fulfilling these resolutions.

(Signed)—“A. Houston, Lorenzo de Zavala. Wm. Pettus, Alex Thompson, Peter J. Menard.”

Oct. 23: “Issued Gail Borden, Jr., a commission (signed on the 22nd inst.) as collector of public dues and instructed him to publish that drafts of officers of companies accepted by the President, will be received in payment.”

Oct. 27: Resolution passed ordering the land offices to be closed, surveying to cease, etc., until the assembling of the Consultation.

McKinney and Williams appointed agents to proceed to New Orleans, contract a loan of \$100,000 and report to the President of the Permanent Council, or to the Consultation, if in session.

Oct. 31: Blank letter of marque and reprisal issued.

Nov. 1: R. R. Royall presented to the Consultation a report of the proceedings of the Permanent Council and, at the same time, submitted to the custody of the Consultation the book of minutes and the various papers of the Permanent Council, which, thereupon, ceased to exist.

During the existence of the Permanent Council the following principal events occurred: (1) Opening fight of the revolution at Gonzales, October 1, 1835. (2) October 9th, Fort at Goliad captured by the Texan volunteers under Geo. M. Collingsworth. (3) October 28th, battle of Concepcion won by men under Bowie and Fannin, composing part of the force besieging San Antonio.

#### **Provisional Government, November 14, 1835, to March 1, 1836.**

November 12, 1835, the Consultation elected Henry Smith, Governor, and James W. Robinson, Lieutenant-Governor, and the following members of the General Council: A. Houston, from the municipality of San Augustine; Wm. Menifee, from the municipality of Austin; Daniel Parker, from the municipality of Nacogdoches; Jesse Grimes, from the municipality of Washington; A. G. Perry, from the municipality of Viesca; D. C. Barrett, from the municipality of Mina; Henry Millard, from the municipality of Liberty; Martin Parmer, from the municipality of Tenehaw; J. D. Clements, from the municipality of Gonzales; R. R. Royall, from the municipality of Matagorda; W. P. Harris, from the municipality of Harrisburg; Edwin Waller, from the municipality of Columbia; and Wyatt Hanks, from the municipality of Bevil.

November 13th the Consultation perfected and formally adopted a plan for the Provisional Government and on the following day Governor Smith, Lieutenant-Governor Robinson, and the General Council entered upon the discharge of their duties.

Charles B. Stewart served as secretary of the Governor until January 15, 1836, and Edward B. Wood thereafter as secretary to the “Acting Governor.”

P. B. Dexter was secretary of the General Council until November 26, 1835, when he resigned and was succeeded by E. M. Pease.

The General Council having created those offices, Joshua Fletcher was appointed Treasurer; J. W. Moody, Auditor; H. C. Hudson, Comptroller; and John Rice Jones, Postmaster General.

In addition to the members of the Council selected November 12th, the following also served as members, some of them being elected to represent municipalities created after the adjournment of the Consultation and others to fill vacancies: L. Ayres, Thomas Barnett, Jesse Burnham,

Philip Coe, Elijah Collard, Asa Hovey, R. Jones, A. E. C. Johnson, James Kerr, Ira R. Lewis, J. J. Linn, Wyly Martin, John Malone, John McMullen, James Power, J. A. Padilla, G. A. Patillo, Bartlett Sims, Alexander Thompson, J. B. Tucker, John A. Wharton, Charles Wilson, Claiborne West and Ira Westover.

The following were elected by the Council supernumeraries, to fill such vacancies as might thereafter occur: Asa Mitchell, J. S. Lester, Benj. Fuqua, J. L. Hood, Wm. Whitaker, Geo. M. Patrick, and John A. Veatch.

The Council at first consisted of thirteen, and afterwards of twenty-one members.

The following record of changes that occurred is gleaned from the printed journals of the Council:

A. Houston resigned and was succeeded by A. E. C. Johnson November 19, 1835; Power took his seat November 23rd; Westover took his seat November 24th; Barnett took his seat November 28th; Lewis Ayres took his seat December 1st; Jesse Grimes resigned December 1st; A. G. Perry resigned and was succeeded by Alexander Thompson December 2nd; Martin Parmer resigned December 3rd; R. R. Royall took his seat December 6th; Menefee took his seat December 8th; Hovey resigned and was succeeded by Asa Mitchell December 10th; J. A. Wharton resigned and was succeeded by Edwin Waller December 10th; Ayres resigned and was succeeded by John McMullen December 12th; Padilla resigned and was succeeded by John J. Linn December 12th; Mitchell took his seat December 15th; Thompson took his seat December 16th; Westover resigned December 17th; Millard resigned December 23rd; Philip Coe took his seat December 29th; John J. Linn resigned December 29th; D. Parker resigned January 1, 1836; Malone took his seat January 2nd; Tucker took his seat January 4th; Collard took his seat January 5th; Jesse Burnham took his seat January 6th; Randall Jones took his seat January 8th; Clark took his seat as delegate from Pecan Point January 11th; Claiborne West resigned and was succeeded by G. A. Patillo January 13th; J. S. Lane took his seat February 8th; Ira R. Lewis took his seat February 15th; D. C. Barrett resigned February 15th; Bartlett Lewis took his seat February 16th.

The journals of the Council show the following members to have been present January 11th, 12th, and 13th, 1836: John McMullen, J. D. Clements, R. Jones, Claiborne West, R. R. Royall, D. C. Barrett, Wyatt Hanks, Alexander Thompson, E. Collard, Jesse Burnham, John Malone, James B. Tucker, and J. D. Clements.

A vote taken January 16th showed the following members present: Burnham, Jones, Clements, Hanks, Barrett, Royall, Malone, Thompson, Collard, Tucker, McMullen, and Patillo.

After January 17th the Council was without a quorum.

When the Provisional Government was created the revolution was in excellent headway.

Among the principal events that occurred during the Provisional Government were the following: (1) November 26th, Grass Fight near San Antonio won by the Texans; (2) December 5th to 10th, storming of San Antonio by the columns under Johnson and Milam and surrender of the town December 10th by Cos, who marched out of Texas, leaving no hostile armed Mexicans in the province; (3) March 6th, fall of the Alamo; and (4) March 16th, massacre of King and his men at Refugio.

**Government *ad Interim*, March 16 to October 22, 1836.**

The Government *ad interim* was established by an Executive Ordinance adopted by the Plenary Convention March 16, 1836. The second section of this ordinance was as follows:

"*Resolved*, That said government shall consist of a chief executive officer, to be styled 'the President of the Republic of Texas'; a Vice-President, Secretary of State, Secretary of War, Secretary of the Navy, Secretary of the Treasury, and Attorney General, whose salaries shall be fixed and determined by the first Congress of the Republic."

Other provisions were: "\* \* \* All questions touching the powers hereby confided to these officers shall be decided by a majority of said officers. \* \* \* That the members of this body vote for the above named officers *viva voce*."

Immediately after the passage of the ordinance the following were elected officers of the *ad interim* Government: David G. Burnet, President; Lorenzo de Zavala, Vice-President; Samuel P. Carson, Secretary of State; Bailey Hardeman, Secretary of the Treasury; Thomas J. Rusk, Secretary of War; Robert Potter, Secretary of the Navy; and David Thomas, Attorney General.

The Government *ad interim* was invested with plenary power by the ordinance in order that it might be able to legally take any action that the dire emergencies that seemed impending might require.

There were a number of changes in the cabinet during the existence of the Government *ad interim*, the following filling, at various times, the positions indicated: James Collingsworth and W. H. Jack, Secretary of State; M. B. Lamar, F. A. Sawyer, Alexander Somervell, and John A. Wharton, Secretary of War; Peter W. Grayson, Attorney General; Barnard E. Bee, Secretary of the Treasury; J. R. Jones, Postmaster General; Asa Brigham, Auditor; and H. C. Hudson, Comptroller.

Among the principal events that marked the life of the Government *ad interim* the following are as peaks in a mountain chain, the two first shrouded in gloom and the last bathed in sunshine: (1) March 19th, surrender of Fannin and his men after the fight on the Coleto; (2) surrender of Ward and his men a few days later; (3) March 27th, Sunday, massacre of Fannin, Ward, and their men; (4) decisive battle of San Jacinto, April 21st, that won Texan independence.

**Republic of Texas, October 22, 1836, to February 19, 1846.**

Sam Houston,<sup>1</sup> President, October 22, 1836, to December 10, 1838; Mirabeau B. Lamar,<sup>2</sup> December 10, 1838, to December 13, 1841; Sam Houston (second term), December 13, 1841, to December 9, 1844; Anson Jones, December 9, 1844, to February 19, 1846.

<sup>1</sup>An act of the Texas Congress approved October 25, 1836, declared that the President's Cabinet should consist of a Secretary of State, a Secretary of the Navy, a Secretary of War, and an Attorney General, to be appointed by him by and with the advice and consent of the Senate.

<sup>2</sup>Lamar having been voted leave of absence by Congress on account of ill health, Vice-President Burnet assumed the duties of President December 13, 1840, and discharged them until March 5, 1841, after which date Lamar filled the office until the end of his term.

By an act approved December 9, 1836, the President's salary was placed at \$10,000 a year and that of the Vice-President at \$3,000. The salary of the

**Governors of the State.**

J. Pinckney Henderson, February 19, 1846, to December 21, 1847; George T. Wood, December 21, 1847, to December 21, 1849; P. H. Bell (first term), December 21, 1849, to December 22, 1851; P. H. Bell (second term), December 22, 1851, to December 21, 1853; E. M. Pease (first term), December 21, 1853, to December 21, 1855; E. M. Pease (second term), December 21, 1855, to December 21, 1857; H. R. Runnels, December 21, 1857, to December 21, 1859; Sam Houston, December 21, 1859, to March 16, 1861; Edward Clark,<sup>1</sup> March 16, 1861, to November 7, 1861; F. R. Lubbock, November 7, 1861, to November 5, 1863; Pendleton Murrah,<sup>2</sup> November 5, 1863, to June 17, 1865; A. J. Hamilton,<sup>3</sup> Provisional Governor, June 17, 1865, to August 9, 1866; J. W. Throckmorton,<sup>4</sup> August 9, 1866, to August 7, 1867; E. M. Pease<sup>5</sup> (military appointee), August 7, 1867, to September 30, 1869; E. J. Davis,<sup>6</sup> January 17, 1870, to April 28, 1870, as Provisional Governor, by military appointment, pending the action of Congress on the Texas Constitution submitted to that body, and April 28, 1870, to January 15, 1874, as Governor by inauguration under the Constitution; Richard Coke, January 15, 1874, to April 18, 1876, under the Constitution of 1869, and April 18, 1876, to December 1, 1876, under the Constitution of 1876; Richard B. Hubbard, December 2, 1876, to January 21, 1879 (unexpired portion of Coke's term, Hubbard, as Lieutenant-Governor, succeeding to the gubernatorial office on Coke taking his seat in the United States Senate December 1, 1876); O. M. Roberts (first term), January 21, 1879, to January 18, 1881; O. M. Roberts (second term), January 18, 1881, to January 16, 1883; John Ireland (first term), January 16, 1883, to January 20, 1885; John Ireland (second term), January 20, 1885, to January 18, 1887; L. S. Ross (first term), January 18, 1887, to January 15, 1889; L. S. Ross (second term), January 15, 1889, to January 20, 1891; J. S. Hogg (first term), January 20, 1891, to January 17, 1893; J. S. Hogg (second term), January 17, 1893, to January 15, 1895; C. A. Culberson (first term), January 15, 1895, to January 19, 1897; C. A. Culberson (second term), January 19, 1897, to January

President was reduced to \$5,000 and that of the Vice-President to \$1,000 by an act approved December 11, 1841, which abolished a number of public offices and cut down the pay of all public officials—that of many 50 per cent. In addition to his salary the President was allowed a furnished house.

<sup>1</sup>March 16, 1861, Clark took the oath prescribed by the secession convention, and on the 18th entered upon the discharge of the duties of Governor.

<sup>2</sup>Murrah left Texas for Mexico before the arrival of Hamilton.

<sup>3</sup>Hamilton was appointed by President Johnson June 17, arrived in Texas July 21, and issued a proclamation July 25, announcing his appointment.

<sup>4</sup>Throckmorton was removed by Gen. Sheridan July 30, 1867.

<sup>5</sup>Pease was appointed by Gen. Sheridan to succeed Throckmorton, and qualified August 7, 1867.

<sup>6</sup>Davis was elected November 30th—December 3, 1869. Gen. Reynolds declared the election provisional pending the action of Congress, and appointed Davis Provisional Governor *ad interim*. Davis acted as such until regularly inaugurated April 28, 1870.

17, 1899; Joseph D. Sayers (first term), January 17, 1899, to January 15, 1901; Joseph D. Sayers (second term), January 15, 1901, to January 20, 1903.<sup>1</sup>

## AGRICULTURE, INSURANCE, STATISTICS AND HISTORY, DEPARTMENT OF.

Jefferson Johnson, Commissioner; salary, \$2,000 per annum. A. S. Thweatt, Chief Clerk; salary, \$1,700 per annum. Office force, four clerks in addition to the Chief Clerk.

Appropriation for the support of the department for the six months ending August 31, 1901, \$5,399; for the two years ending August 31, 1903, a total of \$22,496.

The total receipts of the department for the year beginning January 1 and ending December 31, 1901, were \$147,592.23,<sup>2</sup> of which \$18,529.19 was for office fees and \$129,063.13 for taxes.

The designation of the office was first "Commissioner of Insurance, Statistics and History." Later a department of agriculture was added, and the name changed to "Commissioner of Agriculture, Insurance, Statistics and History." For several years a bureau of geology, employing a large force of office and field workers, was a feature of the department. This has been discontinued. No appropriation for extensive work in the agricultural division has been made for a number of years. The department's labors are devoted to insurance matters and Texas history.

The office was created by an act of the Fifteenth Legislature, approved August 21, 1876, which has since been supplemented by acts passed in 1887, 1888, 1889, and 1895.

Chapter 6, Article 2908, Revised Statutes of 1895:

"The Governor shall appoint, by and with the advice and consent of the Senate, a Commissioner of Agriculture, Insurance, Statistics and History. \* \* \*

Articles 2916-2920: "The duties of the Commissioner shall be as follows: To execute the laws relating to insurance, and insurance companies; statistics and history, and agriculture; to have charge of the State library; to cause to be bound the current files of not less than six nor more than ten leading newspapers of the State; to preserve all historical relics, mementoes, antiquities, and works of art connected with \* \* \* the history of Texas which may come into his possession, etc."

"Art. 2921. The Commissioner \* \* \* shall be ex-officio a member of the Board of Directors of the Agricultural and Mechanical College of the State. \* \* \*

The duties now discharged by the Commissioner are numerous and important, and their proper performance has resulted, and is yearly resulting, in great benefit to the State. The historical feature of the work done is treated under the head "State Library."

<sup>1</sup>See "Governors of the State," and "Lieutenant Governors of the State," for dates of election.

<sup>2</sup>The receipts of the department (office fees and taxes) for the first three months of the current year (1902) aggregate, in round numbers, \$161,000.



The following list gives, from the establishment of the department to the present time, the Commissioners and their terms of service:

	Appointed.	Qualified.	
V. O. King.....	Aug. 21, 1876	Aug. 23, 1876	
V. O. King.....	Jan. 23, 1879	Jan. 30, 1879	
A. W. Spaight.....	Jan. 20, 1881	Jan. 26, 1881	
H. P. Brewster.....	Jan. 29, 1883	Jan. 31, 1883	Died December 28, 1884.
H. P. Bee.....	Dec. 3, 1884	Dec. 30, 1884	To succeed Brewster.
L. L. Foster.....	Jan. 20, 1887	Jan. 21, 1887	
L. L. Foster.....	Jan. 15, 1889	Jan. 23, 1889	
L. L. Foster.....	Jan. 22, 1891	Jan. 27, 1891	Resigned May 4, 1891.
John E. Hollingsworth.....	May 2, 1891	May 5, 1891	
John E. Hollingsworth.....	Jan. 21, 1893	May 4, 1893	
A. J. Rose.....	Jan. 16, 1895	Jan. 17, 1895	
A. J. Rose.....	Feb. 1, 1897	Feb. 5, 1897	Resigned August 1, 1897.
Jefferson Johnson <sup>1</sup> .....	July 28, 1897	July 31, 1897	To succeed Rose, resigned.
Jefferson Johnson.....	Jan. 19, 1899	Jan. 20, 1899	
Jefferson Johnson.....	Jan. 19, 1901	Jan. 20, 1901	

## AGRICULTURAL AND MECHANICAL COLLEGE OF TEXAS.

This college took its origin from an act of Congress, entitled "An act donating public lands to the several States and Territories which may provide colleges for the benefit of agriculture and the mechanic arts," passed July, 1862.

It is situated at College Station, on the Houston & Texas Central Railroad, five miles south of Bryan. The main building, erected in 1876, stands on the most elevated point of the grounds. It is a four-story brick structure, with mansard roof and towers, and contains about forty rooms.

There are 2,400 acres of land in the tract on which the college is built, 250 acres of which are in cultivation.

The college was established by the Legislature April 17, 1871, and is recognized in the Constitution as a branch of the University of Texas for instruction in agriculture, the mechanic arts and the natural sciences connected therewith. In November of the same year the Legislature formally accepted the provisions of the several acts of Congress on the subject, and the State received from the Federal government scrip for 180,000 acres of land. This was sold for \$174,000, and the proceeds invested in Texas 7 per cent. gold frontier bonds.

The college was formally opened for the reception of students October 4, 1876. The regular courses of study extend through three years, and lead to the degree of Bachelor of Science, the particular course pursued being specified in the diploma.

The students are under military discipline, directed by an officer detailed from the army.

<sup>1</sup>Maj. Rose was seriously (and, at the time, it was thought probably fatally) injured by being thrown from a buggy in a runaway accident at his home in Salado. At the Governor's request, Mr. Johnson took charge of the office July 1st and discharged the duties of Commissioner pending Maj. Rose's illness. Upon Maj. Rose's resigning, Mr. Johnson was appointed to the position. An experienced business man and possessing a thorough knowledge of all matters relating to insurance, the department has never been more admirably conducted than under his management.

Three Agricultural Experiment Stations have been established in connection with the institution.

Its government is under the control of the following Board of Directors: Marion Sansom, President; F. A. Reichardt, A. C. Oliver, Wm. Malone, P. H. Tobin, A. P. Smyth, John W. Kokernot, and Jefferson Johnson; J. A. Baker, Secretary.

The Faculty consists of a President, fifteen professors and thirteen instructors.

The total number of students matriculated for the session of 1901-2 is 508.

Three hundred and seventy-eight students have graduated from the college.

The following have served as President, or discharged the duties of President, during the periods specified: Thos. S. Gathright, first President, from 1876 to 1880; John G. James, President 1880 to 1882; H. H. Dinwiddie, Chairman of the Faculty 1882 to 1887 (Dec.); L. L. McInnis, Chairman of Faculty 1888 to 1890; L. S. Ross, President 1890 to January, 1898; L. L. Foster, President 1898 to December, 1901.

After the death of Mr. Foster, December 2, 1901, Prof. R. H. Whitlock, Chairman of the Faculty, was acting President until the election of Prof. David S. Houston, of the University of Texas. Prof. Houston will not enter upon his duties as President until after the close of the present term.

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## ART IN TEXAS.

BY BRIDE NEILL TAYLOR.

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The story of the development of art in Texas reads backward. It does so in every state founded in the self-conscious age of the book. Among primitive nations such a story runs naturally from the first shapeless figure in stone, the first rude outline on the rock, on down the generations of men, to Phidian and Raphaelite glories; and the growth of appreciation among the people follows just a step behind. But the printed page turns the things of humanity topsy-turvy. It dethrones the artist, and makes him rather the executive than—as in the earlier day—the law-giver and lord absolute of the realm of taste; for the people, who in the simpler order were appreciative before they were critical, are now critical before they are appreciative; and the young artist bursts with his unexpressed ideal, yet stops to tremble at the thought of his unskilled hand, and too often turns away from chisel and brush. It was so perhaps in the early days in Texas that the first promptings of the art spirit were repressed, and it thus comes to pass that within the present generation only have we had any art happenings to chronicle.

Art in Texas begins with William Henry Huddle. He is pre-eminently the pioneer Texas artist. He grew to maturity here, lived, worked, and died here, the bent of his talent was fixed here before any outside influence came to bear upon it, and last, but not least, he found all his inspiration in Texas subjects. He had, in a high degree, that which the first Texas artist had so much need to have—the courage—as well as the talent. The youth who chose art for his mistress a generation ago in Texas

deliberately, heroically chose poverty, misunderstanding and spiritual loneliness for his share. None but a painter born could have persevered to the far distant day of success. So far from being heir to all the ages of art achievement that had gone before, he was heir to nothing but the chill of a totally unæsthetic environment; so far from drawing his inspiration from the contemplation of the works of his glorious predecessors, he had nothing to turn to but the fantasies of his own unquenchable talent. There was not in the confines of the State a great picture or statue, not even, indeed, an adequate engraving of one. Huddle had long to be a student to himself, and loneliness, before he knew the joy of standing in the intoxicating presence of a masterpiece. Untaught, almost unnoticed, he worked and studied, grimly persevering in his isolation (genial soul though he was) until he won the reward he deserved in the privilege of studying in New York, and, later, in Europe. It is pleasant to be able to record that before his death a gratifying measure of success came to him in the respectful recognition of his own people, and that they chose his pictures to be the first to adorn the walls of their new State capitol. His series of portraits of the Governors of Texas, his pictures of Sam Houston, Davy Crockett, and the Surrender on the field of San Jacinto, will forever remain there, interesting examples of his work, and still more interesting documents in the history of the evolution of art in Texas. At the time of his death, in 1891, in the very beginning of his prime, he was on the point of starting for a prolonged period of study in Europe, and Texas doubtless lost much in losing him at that particular time. The story of his perseverance amid the discouraging conditions of his day is the bright prologue to the story of art which, in 1902, Texas begins to hope that her sons and daughters will yet write in the annals of time.

An account of the present state of art in Texas is chiefly an account of our great sculptor, Elisabet Ney, and of the thorny road trod by a few art-loving souls in their endeavor to arouse our people to a realization of the priceless opportunity afforded them to secure through her memorials of our inspiring history of the highest artistic value. It is needless to ask by what unexpected (might one even venture to say undeserved?) beneficence of fortune an artist who was the glory of the most cultured art center of Europe was vouchsafed to an obscure young State. God loves Texas: let that suffice to explain so delightful a miracle. But strange to tell, and difficult, indeed, will it be for posterity to believe, this incomparable artist, coming to Texas crowned with the laurels of a career in Europe second to that of no modern sculptor, long remained unappreciated among us, except by the rare, the chosen few, of whom, fortunately for Texas and its future, there may be found one or two in every corner of the State. The wonderful romance of our history inspired Miss Ney to apply her genius to the production of life-size statues of Austin and Houston, which are now among the most priceless of the public possessions. But the plaster models remained for years unappreciated in the seclusion of the artist's studio, unknown to the majority of our people, who little dreamed how precious these noble memorials of the founders of the State would be to the more enlightened understanding of posterity. The story of the efforts of the few who knew, to secure, either by public or private subscription, the few thousand dollars necessary to have the models put into marble, and secured to the State, must be told in some other place, but it may be said, in passing,

that it illustrates with a truly satiric power one striking trait of our people. At last, after many had tried and failed, the Daughters of the Republic, animated by one of their most public-spirited members, Mrs. J. B. Dibrell, of Seguin, daughter of the pioneer statesman, Col. J. W. Dancy, of La Grange, succeeded in so far instructing the public mind that an appropriation was secured from the Twenty-seventh Legislature for the purpose of putting the two statues into marble for our State capitol, and, later, the same Legislature appropriated an additional sum to place the Houston statue in one of the two niches reserved for each of the States in the national capitol at Washington. Before these encouraging events took place, the indefatigable Daughters had already made considerable progress in their endeavor to secure by private subscription the funds necessary to have the Austin statue also placed in the national capitol, and at the present writing the good work is being actively and successfully pushed to completion.

These happenings deserve to be thus specially noted, because they are significant of a new epoch in the development of Texas; they mark the growth of a more enlightened taste among the people, and a long step upward in the education of an intelligent patriotism.

As these events took place during the administration of Governor Sayers, and gained much from his interest and approval, it was thought fitting that his portrait—done by the same hand that had already immortalized the face and form of Austin and of Houston—should be secured as part of the history of a movement itself truly historic. The portrait, recently finished, proves to be one of the finest works Miss Ney has yet produced, which is as much as to say, one of the finest portraits of a living ruler or executive of the people in any part of the world today.

Another encouraging sign of the growth of an improved taste in art, and of a more intelligent understanding of its meaning among our people, is shown in the efforts made by the various women's clubs to do what lies in their power to provide some means of bringing a knowledge of art before the public. The Texas Federation of Women's Clubs has, for three or four years, been sending out a traveling collection of prints and photographs of the world's great masterpieces, and this year they have patriotically included some examples of the work of several of our Texas artists. In many towns local clubs have made a beginning along the same line of effort. The Wednesday Club, of Fort Worth, and the Mother's Club, of Austin, have borne the expense of placing some good pictures in the public schools of their respective cities; the History Club, of San Antonio; the American History Club, of Austin, and the Wm. B. Travis Chapter of the Daughters of the Republic, of the same city, have presented busts of Austin and Houston, done by Elisabet Ney, to the high schools of their respective cities; Mrs. J. B. Dibrell, assisted by a few public-spirited citizens of Seguin, has conferred a like favor on the high school of her enterprising town; and Mrs. Julius Runge has set an example of patriotism and generosity worthy of general emulation by presenting, on her own account, a bust of Houston to the Ball High School of Galveston.

Dallas enjoys the distinction of being the first city in Texas to provide a public art gallery, the credit of which redounds to the glory of the club women within her gates, while the public-spirited women of San Antonio, Houston, Waco, and Galveston are all at this moment actively considering,—and carrying out—plans for the æsthetic improve-

ments of their cities by providing, in one way or another, suitable means for the education of the public taste. Doubtless the same hopeful spirit is moving in the many enterprising smaller towns of the State, and when next the subject of art in Texas comes to be treated, the chronicle will be a long one.

The State University, as might be expected, has for several years endeavored to exert what influence it could in the direction of art education, although no financial provision has yet been made for the purpose. The professor of Greek includes in his regular course a series of lectures on Greek art, which are among the most interesting, popular, and—as every lover of art will agree—important of any given during the term. Also, from time to time, means have been found, by some hook or crook, to bring lecturers from abroad, whose illuminating talks on art have been real events—epochs, even—in the educational history of many a young soul now preparing itself at our chief seat of learning for the life-work which may mean something of historic significance for Texas. The Alumni Association of the University has presented busts of ex-Governor Roberts and Sir Swante Palm, by Elisabet Ney, to the University, which form what all lovers of the University hope may become a nucleus of the great art collection which ought to one day adorn that institution.

Besides all these encouraging signs, there are several good art teachers and more than one faithful artist in Texas, scattered from one end of the State to the other, and each one exerting an influence in his or her locality which is doing much to elevate the taste and enlighten the understanding of the public in the matter of what art really is. There are, too, gifted young men and women among us—of whom one hears rumors now and then, striving, studying, and—alas, *waiting*. But let us hope that the several influences noted in this opening number of the YEAR BOOK may so speedily improve our æsthetic condition that the talents of our youth in this important field of human endeavor may not have to bear much longer the heart-break of unappreciated waiting; may not have to suffer much longer the deprivation of those helps to study which ought to be the simple unquestioned right of genius in every modern State.

It is because, under the conditions of modern civilization, the artist is so much dependent upon the public—dependent upon it not only for appreciation and encouragement, but still more for the unhindered privilege of studying—that I have dwelt on the state of the public taste, the attitude of the public mind in considering art in Texas rather than upon the achievements of individual artists among us. With the exception of the products of the glorious genius of Elisabet Ney, a genius which owes nothing to Texas or to Texans, the best is yet to be done in art in Texas. What has gone before is but the encouraging promise of what is yet to be done. But our master-artist will not arise until the conditions on the outside are favorable. Genius is as much the blossom of an appreciative environment as of its own inner power. When Homer sang all Greece was singing; when Phidias wrought all Athens was carving marble; when Raphael painted all Italy was a school of painters; when Shakespeare wrote all England was producing dramas. In each case, out of these conditions, one transcendent genius came, and lives forever. When all Texas loves art, and bows down before the artist, the great native artist will arise and make us glorious.

## ATTORNEY GENERAL'S DEPARTMENT.

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C. K. Bell, Attorney General; R. A. John, Assistant Attorney General (appointed by the Governor and confirmed by the Senate to represent the State in the Court of Criminal Appeals); T. S. Reese, T. S. Johnson, and D. E. Simmons, respectively First, Second and Third Office Assistant Attorney Generals, appointed by the Attorney General.

The business of the department is divided between the Attorney General and the Office Assistant Attorney Generals, much as between the senior and junior members of a law firm, said assistants discharging such duties and rendering such opinions on propositions as directed. No special statute provides for such assistants. Their number and pay depends upon the general appropriation bills passed by the Legislature. The Attorney General is made by law a member of the following boards: Printing Board and Fuel Board.

Annual salary of Attorney General, \$2,000 (supplemented by fees in certain cases); Assistant Attorney General (including mileage, fees and traveling expenses), \$2,500; First Office Assistant, \$2,500; Second Office Assistant, \$2,000; Third Office Assistant, \$2,000.

Total appropriation for the support of the department for the six months ending August 31, 1901, \$11,621.50; for the two years ending August 31, 1903, \$38,420.

The latest biennial report of the department is that of Hon. T. S. Smith, who died while Attorney General, and was succeeded by Hon. C. K. Bell. It covers the years 1899 and 1900 to December. From it are gleaned the following facts:

State represented in 92 civil cases and 1,392 criminal cases (total number of cases—felonies, misdemeanors, scire facias and habeas corpus—appealed to the Court of Criminal Appeals).

Total collected and paid into the State treasury: Cash, \$46,743.35; notes, \$4,866.

Railroad road charters and charter amendments approved and certified, before being filed with the Secretary of State, 43, representing \$17,506,000 aggregate capital stock.

Number of claims presented for examination under an appropriation for refunding to purchasers and lessees of public domain, in certain cases, money paid by them into the State treasury, 2,192, amounting to \$105,939.02, of which 1,973, aggregating \$87,211.62, were approved and 219, aggregating \$18,570, were rejected, leaving pending claims aggregating \$157.40.

A large number of opinions were rendered, of which twenty-five are published in the report as of special importance.

The most notable of these was one relating to the Waters-Pierce Oil Company.

"Before closing this report," says General Smith, "I deem it proper to call your Excellency's attention to the condition of affairs in the Attorney General's department with regard to the law which requires the Assistant Attorney General to act as Attorney General during the absence or inability of the Attorney General to perform the duties of that office, and in doing so I cannot do better than to quote from the report of Attorney General M. M. Crane for the years 1897-98 upon this subject:

"The duties of the department are being increased by every Legislature. Much of the legal business frequently requires the absence of the Attorney General from the capital, and sometimes from the State. The present law designates the Assistant Attorney General, who remains with the Court of Criminal Appeals, as the Acting Attorney General in the absence of the head of the department. I suggest that this ought to be changed. This duty ought to be imposed on the First Office Assistant Attorney General. The Assistant Attorney General, who remains with the Court of Criminal Appeals, is usually not at the capital. From the very nature of his duties, he cannot know the details of the office work. It is too much to require of him to assume the duties and responsibilities of the Attorney General when he can know practically nothing of the details of the office business during his absence. His entire time is engrossed with criminal business, and, indeed, it is sufficient to take all the time and attention of any one of the best lawyers of the State. Making the First Office Assistant Attorney General the Acting Attorney General in the absence of the head of the department but conforms to the rules of the other departments. Besides, this course would relieve the Assistant Attorney General, who remains with the Court of Criminal Appeals, of the unpleasant duty of being compelled to act in matters with which it is impossible for him to be familiar, and would secure better service to the State than is possible under the existing rule."

So far the above suggestion has not been acted upon.

#### **Attorney Generals Under the Republic.**

PRESIDENT AD INTERIM DAVID G. BURNET'S ADMINISTRATION: David Thomas and Peter W. Grayson;<sup>1</sup>

PRESIDENT SAM HOUSTON'S (first term): J. Pinckney Henderson, Peter W. Grayson, John Birdsall, and A. S. Thurston;

PRESIDENT M. B. LAMAR'S: J. C. Watrous (appointed in December, 1838, and resigned June 1, 1840), James Webb, and F. A. Morris (the latter appointed May 10, 1841);

PRESIDENT HOUSTON'S (second term): George W. Terrell (appointed December 13, 1841), and Ebenezer Allen;

PRESIDENT ANSON JONES'S: Ebenezer Allen.

EXECUTIVE DEPARTMENT,  
CABINET PLACE, BUFFALO BAYOU,  
May 4, 1836.

To Peter W. Grayson, Esq.

SIR: I have the pleasure, with the advice and consent of the Cabinet, to tender to you the office of Attorney General in the government *ad interim* of Texas, and I sincerely hope you may find it convenient and agreeable to render your services to your country in this channel.

With great respect I am,

Your obt. servt.,

DAVID G. BURNET.

## ATTORNEY GENERALS, STATE.

	Appointed	Elected.	Volumes of Supreme Court Reports in which name appears as Attorney General.
Volney E. Howard.....	Feb. 21, 1846		Volumes 1 to 3, inclusive, January, 1846, to and including December term, 1848. Resigned, October 30, 1849. Volume 4.
John W. Harris.....	May 7, 1846		
Henry P. Brewster.....	Oct. 31, 1849		
A. J. Hamilton, <i>ad interim</i>	Jan. 15, 1850		
Ebenezer Allen.....		Aug. 5, 1850	Office made elective by amendment to the Constitution in 1850. Volumes 5, 6, 7 and 8, beginning with the Galveston term in 1851, and ending with the Tyler term in 1852.
Thomas J. Jennings.....		Aug. 2, 1852	Volumes 9, 10, 11, 12, 13, 14, 15, 16 and 17, beginning with the Austin term in 1852, and ending with the first part of the Austin term in 1856.
Thomas J. Jennings.....		Aug. 7, 1854	
James Willie.....		Aug. 4, 1856	Volumes 18, 19, 20 and 21, beginning with the latter part of the Austin session in 1856, and ending with the Tyler term in 1858.
Malcolm D. Graham.....		Aug. 2, 1858	Volumes 22, 23, 24, 25, beginning with the Austin term in 1858, and ending with the Tyler term in 1860.
Geo. M. Flournoy.....		Aug. 6, 1860	That part of Volume 26 covering the Austin term of 1861, and the Galveston term of 1862.
(Resigned, to take effect January 15, 1862.)			That part of Volume 26 covering the Tyler term of 1862, and the Austin term of 1862; and the part of Volume 27 covering the Tyler and Austin terms in 1863, and Galveston and Tyler terms of 1864.
N. G. Shelley.....	Feb. 3, 1862		
Wm. Stedman, elected August 3, 1863, but did not qualify.			
B. E. Tarver.....		Aug. 1, 1864	That part of Volume 27 covering the Austin and Galveston terms of 1864.
Wm. Alexander was appointed Attorney General by Provisional Governor Hamilton, December 11, 1865.			Volumes 28 and 29, beginning with the Austin term in 1866, and ending with that part of Volume 30, covering the Tyler term of 1867.
W. M. Walton.....		June 25, 1866	
(Removed by General Griffin, August, 27, 1867.)			That part of Volume 30 covering the Austin term of 1867.
William Alexander.....	Aug. 27, 1867		
(Appointed by General Griffin.)			That part of Volume 30 covering the Galveston session of 1868, and Volumes 31, 32 and 33 covering the Austin term of 1870.
Ezekiel B. Turner.....	Nov. 5, 1867		
(Appointed by General J. J. Reynolds.)			Volumes 33, 34, 35, 36, 37, 38 and 39, beginning with the Austin term in December, 1870, and extending to the incoming of the Coke administration.
Wm. Alexander.....	July 11, 1870		
Geo. Clark.....	Jan. 27, 1874		Volumes 40, 41, 42, 43, 44 and 45, beginning with the inauguration of the Coke administration and extending to the first part of the Tyler term in 1876.
H. H. Boone.....		Apr. 25, 1876	Volumes 46, 47, 48 and 49, beginning with the latter part of the Tyler term in 1876, and including the Austin term of 1878.
Geo. McCormick.....		Nov. 5, 1878	Volumes 50, 51, 52 and 53, beginning with the Tyler term in 1878, and including the Tyler term of 1880.
J. H. McLeary.....		Nov. 2, 1880	Volumes 54, 55, 56 and 57, beginning with the Galveston term of 1880, and extending through the Tyler term of 1882.
John D. Templeton.....		Nov. 7, 1882	Volumes 58, 59, 60, 61, 62, 63, 64 and 65, beginning with the Galveston term of 1883, and including the Galveston term of 1886.
John D. Templeton.....		Nov. 4, 1884	
James S. Hogg.....		Nov. 2, 1886	Volumes 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 78 and 79, beginning with the latter part of the Galveston term of 1886, and including the Tyler term of 1890.
James S. Hogg.....		Nov. 6, 1888	
C. A. Culberson.....		Nov. 4, 1890	Volumes 79, 80, 81, 82, 83, 84, 85, 86 and 87, beginning with the Galveston term of 1891, and extending to April, 1895.
C. A. Culberson.....		Nov. 8, 1892	



**ATTORNEY GENERALS, STATE—continued.**

	Appointed.	Elected.	Volumes of Supreme Court Reports in which name appears as Attorney General.
M. M. Crane.....		Nov. 6, 1894	Volumes 88, 89, 90 and 91, beginning with April, 1895, and extending to May, 1898.
M. M. Crane.....		Nov. 3, 1896	
Thomas S. Smith.....		Nov. 8, 1898	Volumes 92 and 93, beginning with the June term in 1899, and covering the June term of 1900.
Thomas S. Smith..... (Smith died March 15, 1901.)		Nov. 6, 1900	
O. K. Bell.....	Mar. 20, 1901		To succeed Thomas S. Smith, deceased.

Under the Constitution of 1836, the Attorney General was appointed by the President with the consent of the Senate. Under the Constitution of 1845 the Attorney General was appointed by the Governor (with the consent of two-thirds of the Senate).

An amendment to the Constitution, declared adopted January 16, 1850, made the office elective. It continued so under the Constitutions of 1861 and 1866. The Constitution of 1869 provided that the Attorney General should be appointed by the Governor, with the advice and consent of the Senate.

The Constitution of 1876 made the office elective, and it has since so continued.

The Constitution of 1836 left the power of fixing salaries with Congress. The first Congress appropriated \$3,000 as the annual salary of the Attorney General, and the last Congress \$1,000.

The Constitution of 1845 provided that the duties, salaries, and perquisites of the Attorney General and District Attorney should be prescribed by law.

The First Legislature appropriated one thousand dollars a year, for the years 1846-47, as salary for the Attorney General, and \$100 a year "for contingent expenses."

The salary was shortly thereafter increased to \$1,500, next to \$1,800, and then, in 1866, to \$3,000, at which sum it remained until the adoption of the Constitution of 1876, since which time it has been \$2,000. In addition to this \$2,000, the Attorney General is allowed fees to the amount of \$2,000 per annum, making his salary in fact \$4,000.

**ASSISTANT ATTORNEY GENERALS.**

	Appointed.	Qualified.	Remarks.
A. J. Peeler.....	Mar. 15, 1875	Mar. 15, 1875	Resigned, October 31, 1876.
Geo. McCormick.....		Oct. —, 1876	
W. B. Dunham.....	Jan. 9, 1879	Jan. 9, 1879	
Thos. Ball.....	Jan. 23, 1879	Jan. 23, 1879	
Horace Chilton.....	Jan. 20, 1881	Jan. 28, 1881	
James H. Burts.....	Jan. 18, 1883	Jan. 18, 1883	
James H. Burts.....	Mar. 5, 1885	Mar. 10, 1885	
W. L. Davidson.....	Jan. 21, 1887	Feb. 4, 1887	
W. L. Davidson.....	Jan. 15, 1889	Feb. 9, 1889	
R. H. Harrison.....	Jan. 27, 1891	Jan. 28, 1891	Resigned, October 1, 1892. Vice Harrison.
R. L. Henry.....	Oct. 3, 1892	Oct. 4, 1892	
Mann Trice.....	Jan. 17, 1895		
Mann Trice.....	Jan. 17, 1897		
Robt. A. John.....	Jan. 18, 1899	Jan. 20, 1899	
Robt. A. John.....	Jan. 17, 1901	Jan. 19, 1901	

The office of Assistant Attorney General was created by an act approved March 13, 1875:

"SECTION 1. *Be it enacted by the Legislature of the State of Texas:* That there is hereby created the office of Assistant Attorney General.

"SEC. 2. The Assistant Attorney General shall be appointed by the Governor, by and with the advice and consent of the Senate; he shall hold his office for four years, and shall have the same qualifications as the Attorney General; he shall assist the Attorney General in representing the interests of the State in all suits and pleas in the Supreme Court, and in all civil actions wherein the State may be interested in the district courts of the State, and shall in addition thereto perform such other duties as may be required of him by law; provided, that the term of office of the Assistant Attorney General shall be the same as and expire with that of the Attorney General."

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## AUDITOR.

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### Republic.

J. W. Moody served as Auditor under the Provisional Government,<sup>1</sup> and Asa Brigham under the Government *ad interim*. J. W. Moody was appointed First Auditor, under the regular government of the Republic, December 16, 1836; died August 20, 1839. Charles Mason was appointed to fill the vacancy August 22, 1839; was reappointed in 1841, and served thereafter until annexation. Musgrove Evans was appointed Second Auditor<sup>2</sup> May 31, 1839, succeeding John G. Welchmeyer, deceased.

### State.

John M. Swisher was appointed May 8, 1848, and served until 1855, in which year the office was abolished.

<sup>1</sup>The ordinance creating the office of Auditor was passed December 26, 1835, and enrolled on the following day and transmitted to Governor Henry Smith for executive action. Being returned by him on the 29th with the suggestion that it be amended, the Council, on the same day, passed it over his veto by a unanimous vote. On the 30th the Council elected John W. Moody Auditor. Up to that time he had been serving as Chief Clerk of the Committee on Finance and the Committee on State and Judiciary of the Council. Prior to the establishment of the offices of Auditor and Comptroller of Public Accounts (created by the same ordinance), claims against the Provisional Government were audited by a committee of the Council designated the Committee on Public Accounts, which reported from time to time, and thereupon the Council ordered drafts to be drawn upon the Treasurer. All claims of whatever description, under \$4,000, examined by the Auditor and approved by the Comptroller, were, under this ordinance, to be returned to the Auditor, who was thereupon to issue on the Treasurer drafts, counter-signed by the Comptroller, in favor of the claimants for the amounts found to be due. Claims for larger sums than \$4,000 were to be referred to and acted upon by the Governor and Council and, if approved, were to be returned to the Auditor and Comptroller, who were to issue drafts in the same form and in the same manner as on claims for less than \$4,000.

<sup>2</sup>The First Auditor examined all military accounts; the Second Auditor all civil list accounts. Accounts so passed upon were then submitted to the Comptroller for final action. If approved by him, the Comptroller drew warrants on the Treasurer for the amounts in favor of the persons to whom they were due. The number of Auditors was later reduced to one.

## AUSTIN COLLEGE.

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Austin College, founded April 5, 1850, at Huntsville, is now permanently located at Sherman. It was named in honor of Stephen Fuller Austin, the "Father of Texas." The College is a Presbyterian institution and owes its origin mainly to the efforts of the Revs. Daniel Baker and Samuel McKinney. Enrollment of students for the fifty-second session ending June 6, 1901, 104. The College confers the A. B., B. S., M. A., and M. S. degrees on students who complete successfully prescribed courses of study.

The President, Thomas Stone Clyce, D. D., and five professors compose the faculty. Besides these, there are two instructors, the principal of the Preparatory Department, and the usual College officers.

The following is the list of Presidents: Rev. Samuel McKinney, D. D., 1850-1853; Rev. Daniel Baker, D. D., 1853-1857; Rev. A. E. Thom, *pro tem.*, 1857-1858; Rev. R. W. Bailey, 1858-1862; Rev. Samuel McKinney, D. D., re-elected 1862, in office until January, 1871; Rev. S. M. Luckett, D. D., January, 1871, resigned April 24, 1878; Rev. H. B. Boude, D. D., 1878-1881; Prof. W. D. Vinson, *pro tem.*, 1881-1882; Rev. E. P. Palmer, D. D., 1881, resigned January 1, 1885; Rev. Donald McGregor, D. D., 1885-1887; Rev. S. M. Luckett, D. D., re-elected 1887, in office until resignation in 1897; Rev. T. R. Sampson, D. D., 1897-1900; Rev. T. S. Clyce, D. D., 1900.

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## BAPTIST CHURCH IN TEXAS.

BY REV. B. F. FULLER.

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The history of the Baptist denomination in Texas should begin about 1822, when Freeman Smally, a Baptist missionary preacher from Ohio, made his appearance at the settlement on Red River, now included within Red River county, which was the first American settlement in Texas.

Mr. Smally preached at the house of Wm. Newman, in that settlement, the first sermon by a Baptist minister in Texas; but made no effort to organize a church.

The second preacher of this denomination to appear within our territory was Joseph Bays, who entered Texas on the eastern border in 1825, and on his way to San Antonio preached at the house of Moses Shipman, near San Felipe, the capital of Austin's Colony. When Bays reached San Antonio and began to preach, he was forbidden by the authorities, because none but Catholics were allowed by the laws to preach the gospel, and he was ordered to leave the country. He returned east to San Augustine and attempted again to preach, but was arrested.

In 1829, Rev. Thomas Hanks came to Texas and preached, also at Moses Shipman's, when Mrs. Lidia Allcorn was converted, which is the first known Christian conversion in Texas.

Z. N. Morrell was the most active and widely known, as well as the

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most original and unique character, of the pioneer Baptist preachers of Texas. He came to the country in 1835, and wherever he found an open door he preached, and at the same time he was as ready with his gun as with a sermon, and a gallant soldier.

Notwithstanding all the concessions to colonists, the Mexican government allowed none but Catholics to be introduced into the country, still a number of Baptists found their way in before the Declaration of Independence.

T. J. Pilgrim, a Baptist deacon from New York, organized, at San Felipe, in 1829, the first Sunday school in Texas.

The great impetus given to immigration by the Declaration of Independence in 1836 brought many Baptists to the Republic, who became eminent in our history, both in civil affairs and church enterprises. Only a few, however, can be named here. Among these, perhaps, the most distinguished was Judge R. E. B. Baylor, who came from Alabama in 1839. He was an eminent lawyer, and had been a Congressman from that State, and was a preacher of great power. He was also a great patron of education, and Baylor University was named for him. W. M. Tryon and James Huckins were the first missionaries, and they were a tower of strength to the cause of religion. Dr. R. C. Burleson, the great educator of Texas, gave a great impetus to Christian education.

The first Baptist Church organized in Texas was in 1837, at Washington.

The first association was organized in 1840 in Washington county by the co-operation of three churches. In 1843 the Baptist Education Society was organized, which became a most efficient factor in ministerial education.

Baylor University was founded in 1845, and located at Independence.

In 1848 the Baptist State Convention was organized at Anderson by the co-operation of twenty-one churches. At this time there were four District Associations, and thirty-five churches, with a total membership of about 1,500. In 1854 the membership had increased to, probably, 10,000. During the war, but little advancement was made, but in 1867 there were 350 Baptist churches, with a membership of about 20,000.

The first denominational newspaper was *The Texas Baptist*, published at Anderson, in 1855. In 1868, the Baptist General Association was organized, which was co-extensive with the State Convention.

In 1866 the Female Department of Baylor University was made a separate school and chartered as Baylor Female College, and in 1886 was removed to Belton. In 1861, Waco University was founded, and Dr. Burleson made President. Buckner Orphans' Home was founded by Dr. R. C. Buckner in 1881, and located seven miles east of Dallas, with eight children in charge. Dr. Buckner was made General Manager, under whose control and management it has continued, he reporting annually to the General Convention. Up to 1898, 1,500 orphan children had been cared for.

In 1885 the two general bodies were consolidated under the title of "The Baptist General Convention of Texas." At the same time the two universities were consolidated into "Baylor University, at Waco."

In 1898 the Texas Baptist Education Commission was organized, and a Federation of Baptist Schools was formed. In the system were correlated the following schools: Baylor University, at Waco; Baylor Female

College, at Belton; Howard Payne College, at Brownwood; East Texas Baptist Institute, at Rusk; Decatur College, at Decatur; Burleson College, at Greenville.

Dr. B. H. Carroll was put in charge of the work of the Federation, and charged specially with the work of raising funds to pay the indebtedness of all the correlated schools, and for needed equipments. This great work has been accomplished. All the schools of the system are now out of debt, and their permanent prosperity is assured.

In 1900 a new general body was organized in the eastern portion of the State under the name of the "Baptist Missionary Association of Texas."

Some idea of the magnitude of the work and progress of Texas Baptists may be gathered from the partial statistical summary appended to this sketch.

#### *Summary of Texas Baptist Statistics.*

Total membership white Baptists, 190,847.

Total number of churches, 2,766.

Total district associations, 102.

Total ordained ministers, 1,713.

Total Sunday schools, 984.

Total Sunday school scholars, 57,353.

Total value of church property, \$1,805,854.

Contributions for home purposes, \$225,034.28.

Contributions for missions, \$60,362.37.

Contributions for other benevolence, \$62,160.29.

Total aggregate contributions, \$347,556.94.

Baptisms, 10,479.

Number of missionaries employed during the year by the two general bodies, 206. Besides these, each one of the District Associations has one or more missionaries.

Churches organized during the year, 83.

Sunday schools organized during the year, 287.

Total membership colored Baptists in Texas, 137,639.

Aggregate white and colored Baptists in Texas, 327,757.

Beneficiaries of aged ministers relief fund, 42.

#### EDUCATIONAL.

Number of schools correlated in the Federation of Baptist Schools, 6.

Students in those schools, 2,200.

Preachers in those schools, 300.

Contributions to the Education Commission for the benefit of these schools, \$236,000.

#### BUCKNER ORPHANS' HOME.

Number of children at the Home, 400.

Contributions to general fund, \$34,557.50; contributions to endowment, \$13,239. Aggregate, \$47,796.50.

## BAYLOR UNIVERSITY, ORIGIN AND HISTORY.

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This institution resulted from an effort made in 1842 on the part of certain pioneer Baptist preachers to establish a college. William M. Tryon, James Huckins, and Judge R. E. B. Baylor were the most active promoters. It was chartered in 1845 by an act of Congress of the Republic of Texas just before Texas ceased to be a republic. It was located at Independence, and began its long career at once. In 1861, the President, Dr. Rufus C. Burleson, and a majority of the faculty resigned and removed to Waco, where Dr. Burleson projected and carried through a school known as the Waco University. The two institutions continued separate from 1861 to 1886, when they were united into one at Waco under the name of Baylor University, Dr. Burleson becoming President of the consolidated institution. In its two branches many thousands of persons have been taught, and about six hundred degrees have been conferred. As the chief institution for higher education of the Baptist denomination, Baylor has maintained an important place in the educational history of the State. Many of the foremost citizens of Texas have been connected in one way and another with this institution. Sam Houston was its friend and at one time a trustee. Wheeler, Lipscomb, and Hemphill were connected either as trustees or as members of its faculty. Sul Ross was once a student, as was L. L. Foster. Of men still living who were students in the early days, the roll is too long to call. It would be invidious to mention a few among the thousands whose training has been received here.

When in 1886 the institution was removed to Waco, a beautiful plot of ground was acquired, new buildings were erected, and a period of unusual prosperity followed. Dr. Burleson continued to be President until 1896, when on account of his age and infirmity he was retired on full salary as President Emeritus. Mr. John C. Lattimore was elected chairman of the faculty, and filled the position with great zeal and fidelity until 1899. At this time Oscar Henry Cooper, a graduate of Yale and ex-Superintendent of Public Instruction of Texas, was called to the presidency.

The institution has recently been made the recipient of two magnificent donations of buildings. It is a remarkable fact that these donations came from father and son. The father, Mr. F. L. Carroll, of Waco, a wealthy lumberman, and the son, Mr. George W. Carroll, of Beaumont, a lumberman and oil magnate. These buildings will double the working capacity of the institution, which seems to be just entering upon a greater career of activity and usefulness than it has heretofore attained. It has enrolled during the past twelve months more than a thousand students, and about fifty persons have been connected with it as instructors, lecturers, and college officers. No institution of education in Texas is closer to the hearts of the people than Baylor.<sup>1</sup>

<sup>1</sup>For the matter contained in this article the YEAR BOOK is indebted to Dr. Oscar H. Cooper, President of Baylor. In April, 1902, Dr. Cooper tendered his resignation, which was accepted, to take effect at the end of the session, and Prof. S. P. Brooks was elected to succeed him.

## E. P. BECTON.

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At the time of his death, January 15, 1901, Dr. Becton was Superintendent of the State Institution for the Blind, located at Austin, having been appointed to the position by Governor C. A. Culberson in January, 1895, and filled it with characteristic ability and fidelity for a period of six years. His remains were taken to Sulphur Springs for interment.

Dr. Becton was born in Gibson county, Tennessee, June 27, 1834; came to Texas in November, 1841, with his parents, Rev. John M. and Mrs. Eleanor E. Becton; received a common school education; took a partial course of study at Austin College, Huntsville, Texas; began the study of medicine in 1855; graduated from the Medical Department of the University of Tennessee March 1, 1857, with the honors of his class; subsequently engaged in the practice of medicine at New Danville, Texas; enlisted in the Confederate army as a volunteer in 1862; was later appointed Assistant Surgeon of Fitzhugh's Regiment, McCulloch's Brigade, Walker's Division, and soon thereafter Surgeon of the Twenty-second Texas Infantry, commanded by Col. R. B. Hubbard; moved to Tarrant (then county seat of Hopkins county) after the close of hostilities, and in 1874 moved to Sulphur Springs, where he thereafter remained actively engaged in the practice of his profession until appointed Superintendent of the Institution for the Blind.

He was President of the Texas State Medical Association in 1885; kept fully abreast of his profession, was a valuable contributor to its literature, and was recognized as one of its brightest ornaments in this State.

Politically, he was a life-long Democrat. As a member of the Twelfth Legislature he opposed with skill and courage the iniquitous acts perpetrated and attempted by that flagitious body. He was an orator of exceptional grace and power, and for years was almost always in request as a speaker on notable occasions in the section in which he resided, at the meetings of the State Medical Association, and elsewhere.

He was a member of the Masonic, I. O. O. F. and K. of P. fraternities, and filled various official positions in those bodies.

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## CHARLES K. BELL, ATTORNEY GENERAL.

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Was born in Chattanooga, Tenn., April 18, 1853; received a liberal education; after residing in Texas for two years, returned to Tennessee in 1873, and read law and was admitted to the bar there in 1874; located at Hamilton, Texas, in 1874, and entered vigorously and successfully upon the practice of his profession; was elected County Attorney of Hamilton county in 1876, District Attorney of the Twenty-ninth District (Coryell, Hamilton, Erath, Somervell, Hood and Palo Pinto counties) in 1880 and 1882, State Senator from the Twenty-third District (Bell, Coryell, Lampasas and Hamilton counties) in 1884, District Judge of the Twenty-ninth District in 1888, member of the United States Congress (from the Eighth Texas District) in 1892 and in 1894; and in May, 1901, was appointed Attorney General of Texas by Governor Say-

ers to fill the vacancy caused by the death of Attorney General Smith.

On first coming to Texas, Judge Bell resided at Belton; and from 1874 to 1893 at Hamilton. Since 1893 he has resided at Fort Worth.

In a volume devoted to the Nineteenth Legislature, published by E. H. Loughery in the spring of 1885, the following occurs in a sketch of Judge Bell, then serving as State Senator:

"He was Chairman of the Committee on General Land Office and Engrossed Bills, and was a member of all of the important Senate committees during the session of the Nineteenth Legislature. He is a sterling Democrat; also a member of the Masonic fraternity. Mr. Bell is one of the most graceful and eloquent speakers in the Senate, a man correct in his views, earnest and untiring in his support of what he considers proper measures of State policy, and is one of the strongest, rising young statesmen of the day. A long, useful and honorable career lies before him; he has that within him that prophesies its achievement."

The opinions that have been rendered by Judge Bell and his success in enforcing the anti-trust statutes of the State, as Attorney General, show him to be well versed in the science of law and possessed of the breadth, depth and strength of mind, energy and moral courage essential to the effective discharge of the duties of that high and important office.

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### COL. A. H. BELO, GALVESTON.

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In the death of Col. A. H. Belo (principal owner of the *Galveston Daily News* and *Dallas Morning News*) at Asheville, N. C., at 4 a. m., April 19, 1901, an historic personage in Texas journalism passed from the ranks of the living. He had been in declining health for years. In accordance with his wish, his remains were interred in his father's lot, near his boyhood home at Winston-Salem, N. C. He was buried with civic and military honors. Bishop Edward Rondthaler, of the Moravian Church, conducted the religious services. President Cleveland and other distinguished men sent messages of condolence to his bereaved wife and two children (Alfred H. Belo, Jr., who was associated with him in business, and Mrs. Peabody, of Cambridge, Mass.).

Col. Belo, a son of Edward Belo, was born at Salem, N. C., May 27, 1839. He was elected Captain of the first company that entered the Confederate army from Forsythe county, N. C.; was later promoted to a Colonelcy; as a Major participated in the famous charge at Gettysburg in 1863, and was twice severely wounded; was again badly wounded in June of the following year, when Grant attacked the Confederate lines at Cold Harbor; was with General Lee at the surrender at Appomattox; rode horseback to Texas from Virginia, in June, 1865, and in August following became connected with the *Galveston News*, then owned and edited by Willard Richardson; later bought an interest in the paper; purchased the interest of the Richardson heirs in 1875, after the death of Mr. Richardson; formed a stock company in 1881, authorized by its charter to publish newspapers at Galveston and such other towns in Texas as the company might select, and established the *Dallas Morning News* in 1885; and, although prior to his connection with the *Galveston*



*News*, he had had no journalistic experience, built up two of the most flourishing and influential newspapers in the South.

He married the eldest daughter of Mr. and Mrs. Cornelius Ennis, of Galveston, June 30, 1868.

Ex-President Cleveland dictated the following statement: "I am astonished to hear of the death of Col. Belo. I feel it to be a personal loss, as he was a friend to whom I was warmly attached, as a chivalrous, high-minded man, and an exceptionally able, fearless, and conscientious journalist. His death is a loss to the entire country."

The press, other notable public men, and the people generally, united in similar expressions—all recognizing his worth and the value of the work he accomplished.

### BLIND, TEXAS INSTITUTION FOR.

H. L. Piner, Superintendent; salary, \$2,000 per annum, "with board for himself and family not to exceed in value \$500 per year, and fuel, lights, water, and housing." W. R. Leonard, Principal. H. L. Hilgartner, M. D., Oculist. S. E. Hudson, M. D., Physician. J. S. Myrick, President; R. C. Walker, Vice-President, and W. G. Bell, W. H. Richardson, and S. F. Nolan, Board of Trustees. Number of pupils: Girls, 105; boys, 89. Total amount appropriated at the regular session of the Twenty-seventh Legislature for the six months ending August 31, 1901, \$23,090.31; and at the special session of that body for the two years beginning September 1, 1901, and ending August 31, 1903, \$115,470.

The following is an epitome of the history of the institution, and contains matter never heretofore collected and printed:

#### SUPERINTENDENTS AND OTHER OFFICERS.

	Office.	Appointed.	Remarks.
S. W. Baker.....	Superintendent.....	.....1856	
Mrs. Jane Baker.....	Matron.....	.....1856	
Miss Octavia Baker.....	Music teacher.....	.....1856	
W. O. Otis.....	Teacher.....	.....1856	
Robt. J. Townes.....	Memb. B'd Trustees.....	Aug. 19, 1856	
John Caldwell.....	Memb. B'd Trustees.....	Aug. 19, 1856	
Geo. W. Paschal.....	Memb. B'd Trustees.....	Aug. 19, 1856	
R. R. Burleson.....	Memb. B'd Trustees.....	Aug. 19, 1856	
S. M. Swenson <sup>1</sup> .....	Memb. B'd Trustees.....	Aug. 19, 1856	
Henry Thomas.....	Superintendent.....	Nov. 7, 1866	Removed August 22, 1867.
S. W. Baker.....	Superintendent.....	Aug. 24, 1867	
R. N. Mills.....	Superintendent.....	.....1870	
E. M. Wheelock.....	Superintendent.....	.....1871	
Frank Rainey.....	Superintendent.....	Apr. 14, 1874	Dr. Rainey served continuously as superintendent until succeeded by Dr. Becton.
E. P. Becton.....	Superintendent.....	Jan. 23, 1895	Died January 15, 1901.
H. L. Piner.....	Superintendent.....	Jan. 23, 1901	Vice Dr. Becton deceased.

<sup>1</sup>During the period extending from August 19, 1856, to November 19, 1863, various changes occurred in the Board of Trustees, owing to resignations and other causes. The following were at different times (and some of them contemporaneously) members of the Board: John W. Phillips, James H. Zively, George M. Flournoy, James P. Neal, H. W. Sublett, W. H. D. Carrington, James H. Raymond, H. Wilke, Amos Morrill, Joseph Harrell, Wm. S. Hotchkiss, J. R. Simms, Benj. A. Risher, Wm. Von Rosenberg, Thomas Freeman, Wm. H. Westfall, Frank Brown, James H. Hutchins and Abram Henricks.

**Other Facts.**

The institution was established under an act approved August 16, 1856, which directed that the trustees (to be appointed in accordance with its provisions) should at once rent a suitable building, or buildings, and open the school. A house, situated about a mile northwest of the capitol, was accordingly secured and the institution put into operation December 1, 1856. At the close of 1857 there were five pupils.

The Act of August 16, 1856, appropriated \$10,000 for the support of the institution for two years.

An act approved August 30, 1856, set apart 100,000 acres of the public domain for the benefit of the institution.

An act of the Seventh Legislature, approved February 11, 1858, appropriated \$12,000 for the purchase of a site and the erection of buildings thereon. The trustees were required to carefully examine the tracts, or lots, of land in and around Austin belonging to the State, and to select a site for them, if one could be found that was eligible, and thereupon, under the direction of the Governor, Comptroller, and Secretary of State, expend as much of the \$12,000 as might be needed to put up and furnish buildings. Under this statute part of the buildings now used were erected.

The institution is located a few blocks northeast of the capitol. The grounds and buildings are second to those of no other institution of the kind in the United States, and in appointments and methods of instruction employed the institution will compare favorably with any.

From the accession of Dr. Rainey, in 1874, the growth of the institution in attendance and usefulness has been pronounced, and has been unflaggingly encouraged by legislative appropriations.

The good work was ably continued under Dr. Becton, and is being carried forward, if possible, on still broader lines and more effectively by the present Superintendent, Dr. Piner.

In his report for the year beginning September 15, 1900, and ending September 15, 1901, Dr. Piner says:

"The Institution for the Blind was established in 1856. It first opened for the reception of children December 1st of that year, but not a child came. On the last day of that year one boy was presented for admission, and was received. During that school year only seven children were enrolled. They were all boys. There was but one literary teacher and one of music. The school was taught in a residence leased by the State at the annual rental of \$900. Those who were able to pay were charged \$75 per annum for board and instruction. Those not able were admitted free, though all pupils at that time were required to clothe themselves.

"In 1858 the central building was erected. It was small, but sufficiently large to accommodate all who could then be induced to attend. Since that time the buildings have been increased until there are about 100,000 square feet of flooring in the rooms now occupied.

"The curriculum for the first few years was reading, spelling, writing, arithmetic, history, geography, English grammar, and a little vocal and instrumental music. The course of study has increased constantly up to our present curriculum, which leads all blind schools in the South, and is below only two or three in the United States.

"Since the foundation of the school there have been twelve superin-

tendents, the terms of office ranging all the way from a few months to more than twenty years.

"From 1860 to 1870 the disturbed condition of the country and the demoralized state of political life and the influence of the period of reconstruction all had a most unfavorable effect on this institution. So much so, indeed, that during nearly all of this time the school was practically closed, and for a part of the time actually abandoned. \* \* \*"

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## SAMUEL R. BOYD, HUBBARD CITY.

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Samuel R. Boyd, Hubbard City, Representative of the Seventy-fifth District (Hill county) in the Twenty-seventh Legislature and, at this writing, a member of the legislative investigating committee created by that body, was born in Oktibbeha county, Mississippi, April 29, 1853, the son of David Boyd, a native of South Carolina, and Mrs. Elizabeth (Robinson) Boyd, of South Carolinian birth and ancestry; came to Texas in 1857 with his widowed mother, who located in Montgomery county; completed his literary education at Stonewall College, Cross Plains, Texas; took a course in the Law Department of Vanderbilt University, Nashville, Tennessee; was admitted to the bar in Choctaw county, Mississippi, in 1876, and practiced law there for ten years; and in 1886 returned to Texas and located in Hill county, where he has since been actively and successfully engaged in the practice of his profession.

He canvassed the section of the State in which he resides in the interest of Governor Hogg in the Hogg-Clark campaign of 1892, and in that and other contests won a reputation as an effective popular orator, second to that of few men in Texas. He has been a delegate to every home precinct and county, and State, convention since 1890.

As the Democratic nominee, he had two opponents for election to the Twenty-seventh Legislature, but defeated them by a vote of 4,253 to a combined vote of 1,747 for them, a result that affords an index to his qualities as a campaigner, and popularity among the people who know him best. He was a member of the following standing House committees: Finance, Penitentiaries, and Roads, Bridges, and Ferries, and chairman of the House committee appointed to investigate the condition and affairs of the State Reformatory, at Gatesville.

He was married to Miss Mary Pleamon Buck, in Choctaw county, Mississippi, May 13, 1883, and has three children: Mary Eulalie, wife of Lee Frisby, Assistant County Attorney of Hill county and City Attorney of Hubbard City; Fred, and Maggie Pearl.

Mr. Boyd was himself city attorney of Hubbard City, and at the same time assistant county attorney of Hill county for four years. He and his son-in-law are practicing law together under the firm name of Boyd & Frisby.

Mr. Boyd is a member of the O. S. Presbyterian Church, and Masonic, W. O. W., and K. of P. fraternities.

He made a record in the Legislature of which his constituents and friends over the State are justly proud, and will, it is believed, as a member of the investigating committee, acquit himself with equal credit.

## THOMAS J. BROWN, ASSOCIATE JUSTICE OF THE SUPREME COURT.

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Thomas J. Brown, Associate Justice of the Supreme Court, was born in Jasper county, Georgia, July 24, 1836, and came to Texas in the winter of 1846-47 with his parents, Mr. and Mrs. Ervin Brown, who resided in Washington county until 1858, and then moved to Limestone county, where they resided until their decease.

His father was a North Carolinian by birth, and farmer by occupation. His mother was born in South Carolina, and was a daughter of Henry Burdette, a South Carolinian who moved to Georgia at an early day and was a pioneer settler in Jasper county, that State.

Judge Brown was admitted to the bar at Brenham in August, 1857; graduated from the Law Department of Baylor University (then at Independence) in 1858; was admitted to the bar by the Supreme Court of Texas January 6, 1859, and immediately thereafter engaged in the practice of his profession at McKinney, Collin county; entered the Confederate army as Second Lieutenant of Company E., Col. Robert Taylor's regiment of cavalry, and was later promoted to Captain, but, after capable and gallant service, was compelled to resign by ill-health before the close of the war; after the general surrender formed a partnership with Hon. J. W. Throckmorton, which continued until 1885; moved to Sherman, Grayson county, in 1872, where he has since resided; represented Grayson county in the House of the Twenty-first and Twenty-second Legislatures; was appointed district judge in August, 1892, and was elected to that position in November following; and in May, 1893, was appointed, by Governor Hogg, Chief Justice of the Court of Civil Appeals for the Fifth Supreme Judicial District, but before he qualified was appointed Associate Justice of the Supreme Court by Governor Hogg, to fill a vacancy caused by the resignation of Associate Justice J. L. Henry. [For further particulars as to Judge Brown's service as a member of the court, see article on the Supreme Court.]

Judge Brown was married to Miss Louisa T. Estis, of Collin county, August 7, 1859. Seven children have been born of this marriage, of whom four daughters are living.

He is a member of the Christian Church and Masonic fraternity.

By his masterly advocacy of the Railroad Commission bill passed by the House of the Twenty-first Legislature, through his efforts, and defeated in the Senate, and by the breadth and soundness of his views and the courage and ability with which he sustained them, and by the signal qualities of leadership he displayed, he acquired a State-wide reputation.

While thus easily distinguishing himself in the arena of politics and statesmanship, his true forte is that of a lawyer. Successful as a practitioner beyond the limits that usually satisfy ambition, both as regards reputation and securing the solid rewards that serve as a firm foundation for it to rest upon; nevertheless, his caste and powers of mind better fit him for a judge of a court of last resort, and in that position he is doing the portion of his work in life that will be most lasting, most beneficial to Texas today and in the future, and earn for him a place on the scroll that this generation will hand down to later times inscribed with the names of those who deserve to be honorably remembered by posterity.





LIEUTENANT GOVERNOR JAMES N. BROWNING

**J. N. BROWNING, LIEUTENANT-GOVERNOR.**

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J. N. Browning, Lieutenant-Governor, was born near the present town of Amity, in Clark county, Arkansas, March 13, 1850, the son of W. F. and Mrs Mary L. (Burke) Browning. His father was a native of Alabama, a farmer by occupation, and, at the time of his death, in 1854, surveyor of Clark county, Arkansas. Lieutenant-Governor Browning's grandfather, John Browning, was also a native of Alabama, grew to manhood in that State, served as a Captain in the Seminole War, and afterwards moved to Arkansas with his family and established a farm near Arkadelphia, where he spent the remaining years of an honorable and useful life.

Lieutenant-Governor Browning's parents were married in Arkansas in 1842. His mother is still living. She was born in North Carolina and reared in Alabama, her father, William Burke, a man of mark in the times in which he lived, dying in the latter State about the year 1855. In 1866, Mrs. Browning (now Stegall) moved to Cooke county, Texas, with her family, and during the following year to Shackelford county, where the subject of this notice engaged successfully in stockraising for nine years (part of the time reading law), and was admitted to the bar at Albany, Texas, in 1876. He was for two years justice of the peace and three years (until 1881) county attorney in Shackelford county, and then moved to Mobeetie, Wheeler county, where he accepted an appointment as district attorney, tendered him by Governor Roberts, but resigned it a year later, his private practice having grown to proportions that rendered such a step to his financial interest.

In 1882 he was elected from the Forty-third Representative District (sixty-nine Panhandle counties) to the Eighteenth Legislature, defeating in the free-for-all race two Democratic opponents by a flattering majority. He was re-elected to the House of the Nineteenth Legislature in 1884, and of the Twentieth Legislature in 1886, without opposition; declined to run in 1888, and in 1890 was elected to the House of the Twenty-second Legislature from the same district. In the Twenty-second Legislature he came within two votes of being elected Speaker (vote: Milner, 53; Browning, 50); was Chairman of House Judiciary Committee No. 1 in the Twentieth and Twenty-second Legislatures, and in the various sessions of the Legislatures in which he served added steadily to his prestige as a careful and patriotic lawmaker, familiar with the statutes already on the books and the decisions of the courts, possessed of an accurate knowledge of the needs of the State, and actuated by broad and progressive views.

His sturdy manliness, the natural outgrowth of a childhood nurtured in the cradle of civil war, in a section that was the battle ground of contending armies, and a youth spent upon the farm and upon the "range" and inspired by worthy ambition, attracted to him strong and ardent friends in the beginning of his public career, and these have increased in number as succeeding years have widened the scope of his activities and made him better known to the people.

He was nominated for Lieutenant-Governor by the State Democratic Convention at Galveston in 1898, and elected in November following; and in 1900 was renominated for that position by the State Democratic Convention at Waco, and re-elected by an increased majority.

As presiding officer of the Senate he has borne himself with a dignity and fairness, and displayed a knowledge of parliamentary law, that entitle him to be ranked with the most accomplished of his predecessors in that important office.

In 1888 he moved from Mobeetie to Clarendon, Donley county, and in 1896 to Amarillo, Potter county.

He has been twice married. First, in 1876, to Miss Cornelia E. Beckham, who died at Ft. Griffin, Texas, in 1878, leaving two children, one of whom, a daughter, survives; and, second, in 1879, to Miss Virginia I. Boyman, by whom he has seven children.

He is a life-long Democrat, a lawyer devoted to his profession, and a public man whose record needs no eulogium from a friendly pen.

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### GUY M. BRYAN.

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Hon. Guy M. Bryan died at Austin, Texas, from a stroke of paralysis, June 4, 1901. His remains were interred in the State Cemetery on the following day.

The following were the honorary pall-bearers: Judge John H. Reagan, Judge T. J. Brown, Judge A. W. Terrell, ex-Governor F. R. Lubbock, Judge Z. T. Fulmore, Judge C. W. Raines, and Col. W. L. Prather; and the following the active pall-bearers: Hon. Lewis Hancock, Thad Thomson, Esq., Judge N. A. Rector, Gen. W. R. Hamby, T. F. Taylor, Esq., and Prof. Geo. P. Garrison. Rev. R. K. Smoot conducted the religious services.

The following notice was placed on the bulletin boards in front of the University of Texas:

"The funeral of Hon. Guy M. Bryan will take place from the Morris House in the rear of the capitol, at 5 o'clock this (Wednesday) afternoon, June 5, 1901. It is earnestly desired that as many of the Faculty and of the students of the University attend as possible. The flag of Texas will be displayed at half-mast from the central tower of the University during the day. A Texan true and tried has fallen at the head of that remnant of patriots who achieved the independence of Texas and stamped upon our institutions the impress of their great and glorious lives. He fell in the shadow of the capitol and in sight of the University, the two objects which most excited his pride, enlisted his affection, and embodied his ideal of the greatness of the State he loved so well and served so unselfishly.

"Peace to his ashes, honor to his memory.

"WM. L. PRATHER,  
"President.

"June 5, 1901."

As a token of respect the State departments were closed throughout the day, by order of Governor Sayers, and the lone star flag of Texas was displayed at half-mast on the capitol.

The press and public men of the State united in extending expressions of sympathy to the bereaved children and relatives, in paying tributes to the memory of the departed, and in saying that, in his death, a beloved and notable Texan had passed from the land of the living.



Col. Bryan was born in Herculaneum, Washington county, Missouri, January 12, 1821, the son of James and Mrs. Emily Margaret (Austin) Bryan. His paternal grandfather was of English descent; a native of Pennsylvania; a merchant and lead miner in Missouri; had a branch mercantile establishment in Arkansas; selected the town site for and founded the present city of Little Rock; and, after a useful and successful career, died in Missouri in 1822. His mother was a daughter of Moses Austin, and was born in Austinville, Wythe county, Virginia. In 1831 she married James F. Perry and moved with him to Texas from Potosi, Washington county, Missouri, where she had resided after the death of her first husband.

From 1832 until after the fall of the Alamo and the massacre at Goliad, Guy M. Bryan attended the school of Thomas Pilgrim, at Columbia, Brazoria county. His brothers, William Joel and Moses Austin Bryan, were in the army under General Houston, the latter taking part in the battle of San Jacinto as a soldier in Burleson's regiment and having three holes shot in his coat in the charge over the Mexican breastworks. William Joel Bryan was prevented by sickness from being with the army at the time the battle was fought. Mr. Perry was on duty at the fort on Galveston Island.

When news was received of the rapid advance of Santa Anna's army, the school was closed. Young Bryan, on his saddle-horse, and his mother in the family carriage, followed by the negro slaves and a wagon loaded with household effects, made their way to the east bank of the San Jacinto; camped there until the appearance of part of the Mexican advance guard on the west bank, and then retired further toward the Louisiana line. They had not proceeded far before the booming of cannon on the field of San Jacinto announced to them that the fate of Texas was being decided there by the arbitrament of arms. Full of anxiety for the fate of Moses Austin Bryan and friends they knew were participating in the encounter, they paused to await tidings and were joyfully relieved on the following day by a courier who dashed along the road notifying refugees of the victory that had been won, and telling mother and brother that Moses Austin Bryan had survived the perils of the fight.

Mrs. Bryan and attendants having been conducted part of the way and dispatched safely on the remainder of their homeward journey, the subject of this notice repaired to the Texas army, enlisted in its ranks, and was appointed orderly on the staff of Lieutenant-Colonel Somervell. The army was still (three days after the engagement) in camp at San Jacinto and the field still thickly strewn with the corpses of Mexican soldiers.

After a few months service, the youthful soldier was taken sick, received an honorable discharge, and returned home, where he was soon restored to health.

He attended school at Chocolate Bayou, Brazoria county, in the fall and winter of 1836; entered Kenyon College, Ohio, in May, 1837, and graduated therefrom with distinction in 1842, R. B. Hayes, afterwards President of the United States, being one of his classmates; later began the study of law under William H. Jack, at Brazoria, but abandoned it on account of failing eyesight; enlisted as a volunteer in a company raised in Brazoria after the battles of Palo Alto and Resaca de la Palma in 1846, and served under Colonel Jack Hays until he was compelled to resign in order to take home his younger brother, Stephen F. Perry, who

was critically ill with camp fever; was elected from Brazoria county to the House of the Second Legislature in the fall of 1847; was re-elected to the House of the Third and Fourth Legislatures; was presidential elector for the State at large on the Pierce and King ticket in 1852; served for four years as a member of the Texas Senate; was a delegate to the National Democratic Convention that met at Cincinnati in 1856 and nominated Buchanan; figured prominently in the fight of the Democracy against the Know-Nothing party in Texas from the rise to the final defeat of that organization; was a delegate to the State Democratic Convention at Waco in 1857 (the first held in the State); was nominated for Congress by the Congressional Convention for the Western District of Texas that met at Waco immediately upon the adjournment of the State Convention in 1857<sup>1</sup>; was the only man on the Democratic ticket who had no opponent; married at Galveston, October 20, 1858, Miss Laura A. Jack, youngest daughter of Hon. William H. Jack, and, at her request, declined re-election, she stating that she greatly preferred quiet, domestic life in Texas to the gaieties of Washington; moved to Galveston in 1860; was a delegate to the Charleston Convention in 1860 and, as chairman of the Texas delegation, acted as spokesman for himself and colleagues when Texas, with the other Gulf States, withdrew from that body, delivering a brief, manly, and forcible speech and submitting a written protest, signed by the representatives of Texas, that he asked to be spread upon the journals of the convention; took a prominent part in the convention at Baltimore that nominated Breckenridge and Lane; was one of the prime movers in the organization of a committee of safety at Galveston to take suitable action if Lincoln was elected, and that upon the happening of that event did much to crystallize public sentiment and bring about the calling of the convention that took Texas out of the Union; served for some time as volunteer aide on the staff of General Hebert, commander of the military department of Texas; was appointed by President Davis, early in 1862, confidential agent to visit the Governors of the States west of the Mississippi river and, if possible, harmonize the differences existing between them and the military authorities; succeeded in bringing about meetings at Marshall that in a measure effected that object; was subsequently appointed Major and Assistant Adjutant General on the staff of General Holmes; was attacked by typhoid pneumonia in October, 1862, while riding on the outside of a stage coach en route from Marshall to Houston, and compelled to stop over at Huntsville; was taken from Willson's hotel, in Huntsville, to Waco in an ambulance by his wife; lingered between life and death for three months, and for some months longer was prevented by rheumatism from resuming active service in the field; reported for duty to General E. Kirby Smith at Shreveport, Louisiana, as soon as his condition would permit, and asked to be sent to the front, a request that was denied by General Smith, who appointed him on his staff, with the rank of Adjutant General; was placed in charge of the cotton bureau at Houston on its creation, and organized and put it in operation; was offered, but declined, the position of head of the cotton bureau designed for the entire Trans-Mississippi Department; participated in the battle of Jenkins's Ferry; was later sent on a confidential mission to President Davis, and while in Richmond was, through Senator Oldham, of Texas, offered an appointment on the

<sup>1</sup>There were then two districts, Eastern and Western, the Trinity river being the line of division.

President's staff, but declined it; returned to the headquarters of General Smith, and was promoted to Colonel on his staff; was shortly thereafter appointed by Governor Murrah representative of Texas at the headquarters of the Trans-Mississippi Department and, while not formally accepting the position, discharged the duties incident thereto, in accordance with an agreement entered into by Governor Murrah and General Smith; joined Governor Murrah at Houston when the news of General Lee's surrender was received, and was there when the surrender of the Trans-Mississippi Department occurred; rejoined his family at Waco after the war and moved to Galveston; improved a small ranch on Galveston Bay in 1867, and lived there for four years, and then went to Hot Springs, Arkansas, to be treated for rheumatism; returned to Galveston, and principally resided there and in Brazoria county until he removed to Austin in the fall of 1898; was Speaker of the House of the Fourteenth Legislature, and by the wise and bold measures he adopted secured the safety of the legislative body and Democratic State officers-elect, appointed the committee that forced the surrender of the election returns withheld by the Republican Secretary of State, and, with the assistance of his colleagues and compatriots, accomplished the peaceful inauguration of Coke and Hubbard, despite the settled purpose of those in power to defeat that consummation of the people's will, if, in no other way, by provoking violence which they hoped would spread over the State and furnish the Federal authorities an excuse for remanding the State to military rule; declined election to the Fifteenth Legislature; was a member of the Sixteenth Legislature (having been nominated and elected while on a visit to Virginia with his children) and co-operated with Judge A. W. Terrell in advocacy of the bill providing for the erection of the new capitol; represented Galveston and Brazoria counties in the Twentieth Legislature; and from that time forward declined further public service, feeling that he had borne his full share of the heat and burden of the day, that younger men should do whatever work could be required of him, and that it was meet that he should spend in quietude the few years remaining to him.

His beloved wife died in Galveston January 1, 1872. She was born in Brazoria county, Texas, January 13, 1839; graduated from Judson Institute, Marion, Alabama, in 1855, and is spoken of by all who knew her as a Christian woman of rare intellectuality and attainments. She was a niece of General James Harrison, General Thomas Harrison, Colonel Richard Harrison, and Colonel Isham Harrison, all of whom served with distinction in the Confederate army.

Of the children born to Colonel and Mrs. Bryan the following are now living: William J., of Bryan; Mrs. Laura H. Parker, of Washington, D. C.; Miss Hally and Guy M., Jr., of Galveston.

Colonel Bryan was reared in the Episcopal Church; but his wife being a member of the Baptist Church, his association was mainly with that denomination. He was a Royal Arch Mason, and had been a member of the Masonic fraternity for many years.

He was President of the Texas Veterans' Association at the time of his death. He delivered the oration at the organization of the Association at Houston in May, 1873, and in the course of his remarks said of Texas, speaking of the future that awaited the State if it remained undivided: "Our seaboard will be thronged with sails. Our interior will have its Lowells, Pittsburgs, and Manchesters. Our railroads, subordi-

nate to just laws and the interests of the public, the servants and not the masters of the people, will bind our extended parts together in social and commercial intercourse, preserving confidence, community of interests, and patriotic affection. Our institutions of learning, of benevolence, and of religion will rise higher and tower loftier because of the ample resources and great name of our mighty State. Nothing little will live here; ideas, thoughts, feelings will all be great, because of the association of greatness."

In his retirement Colonel Bryan found ample occupation for his active mind in congenial literary pursuits—reading such works as pleased him and employing his pen in writing occasional articles, the most interesting and valuable of which is, perhaps, his sketch of the period of Texas history extending from 1819 to 1837, published in Scarff's "Comprehensive History of Texas," together with verbatim copies of documents, laws, decrees, and regulations pertaining to the Texas colonies.

A most notable and valuable labor performed by Colonel Bryan was the classification and preservation of the papers left by Stephen F. Austin, and adding thereto (over a long period of years) many other kindred documents. This collection, known as the Bryan MSS., at the time of his death in charge of C. W. Raines, State Librarian, was, by the terms of his will, bequeathed to the University of Texas, and constitutes the richest mine of facts pertaining to the early history of Texas that anywhere exists.

Colonel Bryan loved Texas with an intense devotion, and, to the last, was an active supporter of every literary work, every patriotic organization, and every public or private enterprise that had in view the glory or welfare of Texas, or the rendering of justice to the memories of the great departed to whose labors this generation of Texans are so deeply indebted.

He was greatly blessed in the fact that his mental faculties were entirely undimmed up to the moment he was stricken with his last illness.

He kept abreast of the news in the daily papers, and was in full, sympathetic touch with life to the last moment.

He was warm and deep in his attachments. His friendships lasted for life, and in the closing years of his earthly pilgrimage, when the shadows of evening deepened toward the night of death, the way he trod was cheered by the society of those who loved him most dearly.

[For proceedings in memoriam see article on the "Twenty-Seventh Legislature."]

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## RUFUS C. BURLESON, D. D., LL. D.

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Dr. Burleson died at his home in Waco, May 14, 1901. He was born near Decatur, Alabama, August 7, 1823. He was the seventh of thirteen children born to Jonathan and Elizabeth (Byrd) Burleson and descended from sturdy Welsh ancestry who settled in the colonies before the Revolution. His father was a brother of James Burleson, father of General Edward Burleson, one of the heroes of the Texas Revolution. While attending school at Decatur, in 1839, young Burleson was converted to Christ under the preaching of Rev. Dr. Porter, and soon afterwards received into the Baptist Church by Elder Holcombe. Feeling that he had received a call to preach the gospel, he, with a view to better prep-

aration for the work, early in 1840 took a course at Nashville University, and was licensed to preach by the First Baptist Church of Nashville, November 12th of that year. Impaired health, the next year, caused his return home, where he continued his studies under the direction of Dr. Penland. Dr. Burleson taught school and preached in Mississippi from 1842 to 1845; was ordained to the full work of the gospel ministry June 8, 1845, and took charge of the Baptist churches at Mayhew Prairie, Lebanon, and Pilgrim's Rest. Resigning these charges within a year, he entered the Western Baptist Theological Seminary, at Covington, Kentucky, from which he graduated June 10, 1847. While a student at this place Dr. Burleson was selected by the trustees of Baylor University, Independence, Texas, to solicit funds in Kentucky, Ohio, Mississippi, and Alabama for the institution.

In 1848 he came to Texas, under an appointment to Gonzales by the Southern Baptist Convention; but, that pulpit having been filled before his arrival by the local church, Dr. Burleson accepted the pastorate at Houston, made vacant by the death of Rev. W. M. Tryon.

His ministerial labors at Houston continued until 1851, when he was elected President of Baylor University, to succeed Rev. H. L. Graves, resigned.

January 2, 1853, Dr. Burleson married Miss Georgia Jenkins, at Independence.

As a result of a misunderstanding concerning the management of the institution the entire faculty of the main University, including Dr. Burleson, resigned in April, 1861. In September of the same year he took charge of Waco Classical School with his corps of teachers, having been elected to the position by the Waco Association. Later a new charter was procured for the school and its name changed to Waco University, of which he was elected President.

During the war between the States he served as Chaplain of the Fifteenth Texas regiment, C. S. A.

In 1886 he was elected President of Baylor University when the male department of Baylor University at Independence and Waco University were consolidated at Waco. He retained this position until 1897, when he was elected by the trustees President Emeritus and retired from the management of the institution.

Dr. Burleson was justly distinguished, both as a preacher and as an educator.

Among the noteworthy individuals converted under his preaching or baptized by him may be mentioned Mrs. Dickinson, survivor of the fall of the Alamo; General Sam Houston, and Judges A. S. Lipscomb and W. E. Donley. Mrs. Dickinson was baptized while he was pastor of the church at Houston. The baptism of General Houston occurred November 19, 1854, in the presence of a large concourse of people in a little clear creek called Rocky, about one mile south of Independence.

On May 30, 1901, the *Texas Baptist Herald* (Dallas) published a memorial number containing articles and addresses from such well-known Baptist leaders in Texas as Revs. James F. Duncan, S. J. Anderson, W. T. Compere, S. A. Hayden, A. M. Johnson, B. F. Fuller, S. H. Slaughter, S. L. Morris, W. A. Jarrell, B. H. Carroll, and E. A. Puthuff, each furnishing something that contributed to a more intimate knowledge of the life-work and moral worth of the departed.

## CATHOLIC CHURCH.

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Three dioceses and one Vicariate Apostolic, as follows:

Diocese of Dallas: Bishop, Edward Joseph Dunne, D. D.; priests, 44; churches, 56; parochial schools, 20; hospitals, 5; Catholic population about 24,000. Established in 1890. First Bishop, Rt. Rev. Thomas Francis Brennan, D. D.

Diocese of Galveston: Bishop, Nicholas A. Gallagher, D. D.; priests, 64; churches, 63; parochial schools, 28; hospitals, 5; Catholic population about 40,000. Established in 1847. First Bishop, Rt. Rev. J. M. Odin, D. D.

Diocese of San Antonio: Bishop, Rt. Rev. John Anthony Forest, D. D.; priests, 73; churches, 73; parochial schools, 39; hospitals, 3; Catholic population about 75,000. Established in 1874. Former Bishops, Rt. Revs. Anthony Dominic Pellicer, D. D., and John C. Neraz, D. D.

Vicariate Apostolic of Brownsville: Bishop, Peter Derdagner, D. D.; priests, 22; churches, 56; parochial schools, 8; hospitals, 1; Catholic population about 63,000.

Total Catholic population, 202,000, with 202 priests.

The Catholics were the first to evangelize Texas, the Franciscan brothers establishing missions among the Tejas Indians as early as 1690.

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## HORACE CHILTON.

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Horace Chilton, distinguished Democratic leader and member of the Texas bar, was born near Tyler, Smith county, Texas, in 1853, the son of Hon. George W. and Mrs. Ella G. (Goodman) Chilton. His father was a prominent figure in public life in Texas before the war between the States, and in 1866 was elected to the United States Congress, but with the other members from Texas was denied his seat, Congress having refused to recognize the reconstruction of Texas under the plan provided by President Johnson.

Horace Chilton's boyhood was spent upon the farm. By dint of industry he acquired a good English education. The war swept away the possessions of his family and he early had to find employment that would yield him a support and enable him to provide for his widowed mother. He worked for a time in the same printing office with Hon. J. S. Hogg; became an expert journeyman; saved a small amount of money that enabled him to read law; was admitted to the bar; rose rapidly to recognition as a lawyer of high talent and character; was appointed Assistant Attorney General by Governor Roberts, January 20, 1881; was appointed United States Senator by Governor J. S. Hogg April 25, 1891, vice Hon. John H. Reagan, to serve until the meeting of the Legislature, at which time Hon. R. Q. Mills was elected to fill Judge Reagan's unexpired term; was elected to the United States Senate by the Twenty-fourth Legislature January 23, 1895, for a full term of six years, and served until March 3, 1901, when he was succeeded by Hon. J. W. Bailey, who was elected by the Twenty-seventh Legislature January 22, 1901.

He was married to Miss Mary W. Grinnan, at Tyler, in February, 1877, and has several children.

He it was who introduced in the State Democratic Convention at San Antonio, in 1890, the resolution, which was adopted, declaring for State support of a home for disabled and indigent ex-Confederate soldiers.

In his race for United States Senator in 1894 he set the example (since followed) of having the people in their primaries declare their choice for that high office.

His record as United States Senator was all that could be expected or desired and thoroughly sustained his reputation as a sound Democrat and able statesman.

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## THE CHRISTIAN CHURCH, OR DISCIPLES OF CHRIST.

BY J. W. LOWBER, Ph. D.,

Pastor of the Central Christian Church, Austin, Texas.

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The Disciples of Christ in Texas number about seventy-five thousand. They own Add-Ran University; and Carlton College, Jarvis College, and Carr-Burdette College are also run in their interest. The *Christian Courier*, a weekly paper, published in Dallas, Texas, is the special organ of the Christian Church in Texas. The Texas Christian Missionary Society is pushing its work into all parts of the State, and in a few years the Disciples will have churches in every town and city. The last ten years have been especially favorable to the progress of the Disciples, and statistics show that in proportion to their number they have grown more rapidly than any other religious body. They now number in the world about one million and a half.

Soon after Texas became a republic the aggressive ministers of this body were hard at work on her soil. Elder T. W. Caskey, author of "Seventy Years in Dixie," was one of the pioneers. He was considered one of the greatest preachers in the South. Elder Charles Carlton, President of Carlton College, came to Texas at an early period in her history, and was one of the greatest workers and preachers in the State. Dr. Carroll Kendrick was also one of the pioneers of the Lone Star State. He moved to Texas in 1851, where he labored twenty-seven years. There are others just as worthy as the names mentioned, but we have not space here to record their great work.

1. The Disciples hold that Christ is the creed of the church. The creed of a church antedates the church, and the church is built upon it. It is a mistake to suppose that the Christian Church has no creed. We have a creed, but it is a divine one. It is the creed upon which the church was reared in apostolic times. It antedates the New Testament itself. It is a mistake to say that the New Testament is our creed. It is our rule of faith and practice, but Christ is our creed. The church was built upon a divine person, and He is the central figure of the whole Bible. Those who accept the divine creed must necessarily believe in the inspiration of the Bible.

In Matthew xvi:13-19, we have revealed the true creed of the church. Simon Peter confessed Jesus to be the Christ, the Son of the living God.

He was the Son of the God of Israel in contrast with those who claimed to be the sons of heathen gods. Jesus declared the confession of Peter to be a special revelation from the Father in heaven. We find this revelation in Matthew, third chapter, in the voice that came from heaven, declaring that the One whom John had baptized was His beloved Son in whom He was well pleased. The Disciples believe that the Christian world can only be united on a personal Christ; hence their main purpose has been to restore the apostolic creed.

2. The position of the Disciples on the operation of the Holy Spirit is, in many respects, distinctive. They oppose both the *word alone system* and the *Spirit alone system*. They insist that in conversion and sanctification the Holy Spirit operates through the word of truth. The Disciples give the following reasons for this position: (1) The Bible ascribes the same influence to the word of God that it ascribes to the Holy Spirit. While it teaches that we are sanctified by the Spirit of God, our Saviour in the seventeenth chapter of John prays: "Sanctify them through thy truth, thy word is truth." (2) In the new birth the Spirit and word are united. The apostle Peter thus writes on this subject: "Being born again, not of corruptible seed, but of incorruptible by the word of God, which liveth and abideth forever." (1 Peter 1:23.) (3) The gospel is God's power for the salvation of both Jews and Gentiles; and this certainly teaches that the Holy Spirit in conversion operates through the gospel. The word of God is the sword of the Spirit; and for this reason the apostles were sent in every direction to conquer the world for Christ. They conquered with the sword of the Spirit, and not with the literal sword as did Mohammed and his disciples. The fact that Christianity conquered the world by love and not by force, is one great reason why it has impressed itself upon the very face of civilization. Writers on comparative religion claim that religion is the inner side of civilization: such being the fact, Christianity is the very soul of the highest civilization. We greatly rejoice at the missionary activity of the church at the present time, for it means the highest civilization for all races.

3. The position of the Disciples in reference to the Lord's Supper is also peculiar to them. They do not invite or debar; but let each professed Christian partake on his or her own responsibility. Their position on this subject seems to be well sustained by the following facts: (1) It is the Lord's Supper, and we have no right to debar any professed Christian. Each one must examine himself or herself, and so eat and so drink. In this matter each one is responsible to God for his own act. (2) The Lord's Supper was instituted before Christian baptism, and has altogether a different design from the last named institution. (3) The Lord's Supper represents the death of Christ, while baptism represents his burial and resurrection. Jesus died before he was buried. (4) The practice of the Disciples on the communion question has led many to a knowledge of the truth on Christian baptism. The Lord's Supper strengthens their faith, and by coming into a closer relationship to the Disciples their prejudice is dissipated so that they study the Bible for the simple purpose of learning the Lord's will. In such cases they nearly always become Disciples. In this way my father was converted to the position of the Disciples.

Weekly communion is also peculiar to the Disciples. While you find



in all professed Christian bodies many who believe in weekly communion, the Disciples are the only people who, as a body, practice weekly communion. This is another point in which they certainly agree with the apostolic church. From the following it is plain that the early Christians practiced weekly communion: (1) From Acts xx:7, we learn that the early Christians were accustomed to meet on the Lord's day to attend to the Lord's Supper. (2) It is quite evident from 1 Cor. xi:20 that one special object of the stated meetings of the disciples was to observe the Lord's Supper. (3) It is clearly taught in 1 Cor. xvi:2, that it was the custom of the disciples to meet every Lord's day. Dr. Macknight renders the verse thus, "On the first day of every week let each of you lay somewhat by itself, according as he may have prospered, putting it into the treasury, that when I come there may be no collections." Dr. Neander plainly states that the early disciples observed the Lord's Supper every Lord's day.

4. The Disciples practice immersion, because they believe that loyalty to Christ requires it. At the beginning of his ministry Jesus was baptized by John in the river Jordan (Matt. 3d chapter), and at its close he commanded the apostles to disciple all nations, baptizing them. The Disciples fully believe that one special purpose of baptism was to represent the burial and resurrection of Christ (Rom. 6th chapter and Col. 3d chapter); and that this could only be accomplished by immersion. Besides, they regard immersion as the Catholic baptism, and expect the Christian world to finally return to it. The Roman Catholic Church claims that it practiced immersion for the first thirteen centuries, and the Greek Church continues to practice it. The Greeks certainly understand their own language. In the United Church of the Millennium, there will be one Lord, one faith, and one baptism.

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## CHRISTIAN SCIENCE.

ROBERT L. MILLER.

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It was a number of years before the impetus of the Christian Science movement, inaugurated by Mrs. Mary Baker G. Eddy, was felt in Texas. Up to the year 1889 only a few in Texas had come face to face with the healing and regenerating influence of Christian Science. In that year a number who had obtained copies of the book "Science and Health, with Key to the Scriptures," wishing to know more of this subject, wrote to the author for information. In response to this call Mrs. Eddy sent one of her students, Mr. George B. Wickersham, to Texas. This gentleman had been healed through Christian Science of a disease that had been pronounced incurable by physicians in various parts of the country and, hence, he was an earnest exponent of the teachings. He taught in Galveston, Austin, and other places, and thus laid the foundation for the future rapid growth of the movement in Texas. Afterwards other students from Texas were taught in the North and East. Thousands of cases of disease pronounced incurable have been healed through Christian Science in Texas, and many lives have been brightened by its teachings.

There are now eleven regularly organized and officially recognized churches in Texas, and at about thirty-five other places services are being held where there has been as yet no formal organization, but where churches will ultimately be organized. In response to the demand for thorough instruction in this subject, the writer, a graduate of the Massachusetts Metaphysical College, in Boston, Mass., founded the Southern Christian Science Institute at Austin in 1899. This was the first Institute of genuine Christian Science founded in Texas. At this place a number of students have been taught, whose labors in establishing churches and healing the sick through the ministry of Christian Science have resulted in much good. Since the above date other teachers graduated from the Massachusetts Metaphysical College have located in Houston, where their labors are bearing good fruit. The uplifting and beneficial effects of Christian Science have been felt in all parts of Texas, and in nearly every village in the State there are some who, having been healed of disease or reclaimed from sin, give God thanks for Christian Science.

Christian Science was discovered in the year 1866 by Mrs. Mary Baker G. Eddy.

Mrs. Eddy had met with an accident which neither medicine nor surgery could reach and, when apparently nearing the end of her earthly existence, she called for her Bible and began to read. A wonderful spiritual illumination burst upon her, and, to the astonishment and fright of her friends and relatives, she arose a well woman. She knew that her healing had been accomplished by the divine Spirit, and, realizing that she had a great mission before her, she withdrew from society for about three years, which time was devoted to a prayerful study of the Scriptures. As a result of this study, she wrote the text-book of this Science, "Science and Health, with Key to the Scriptures," which was first published in 1875. This book has now passed through over two hundred and twenty editions. The First Church of Christ, Scientist, known as the "Mother Church," was founded in Boston in 1879 with twenty-six members. At this date (1901) this church, which is the central church and of which all other Christian Science churches are branches, has a membership of about twenty-two thousand. In 1881 the Massachusetts Metaphysical College was chartered with Mrs. Eddy as its president. It was closed in 1889 at the height of prosperity, after about four thousand students had been taught. In 1883, the *Christian Science Journal*, a monthly publication, was started by Mrs. Eddy. It and the *Christian Science Sentinel*, a weekly paper, are now published by the Christian Science Publishing Society in Boston, under the supervision of the Mother Church, of which the *Journal* is the official organ. In 1898 the Christian Science Board of Education was established, which, acting under the auspices of the Massachusetts Metaphysical College, sends out each year a number of thoroughly trained teachers of Christian Science. The Christian Science Board of Lectureship of the Mother Church has also been established, composed of lecturers who reside in different parts of the world. The lectures given by members of this board have been largely attended, and have done much towards correcting the prevailing misconceptions concerning the theology and healing of Christian Science. All the Christian Science churches have the same sermon, and instead of it being a sermon by a personal preacher the sermon con-

sists of carefully selected readings from the Bible and "Science and Health, with Key to the Scriptures," which are read by two readers. These books are ordained the only pastor of this denomination. In this way conflicting human opinions are avoided, and harmony and unity of thought are preserved.

Christian Science is founded on the Bible. It acknowledges one God and one Christ, and Christian Scientists accept the way pointed out by Christ Jesus as the only one whereby a salvation from sin, sickness, and death may be reached. They believe in the practical import of Christ's teachings, and that the promises in Mark's gospel (Mark xvi:15, 16, 17, 18) will be realized by all who love God and understandingly follow the teachings of the Master. Hundreds of thousands of cases of disease pronounced incurable by all human agencies have been healed through Christian Science. Sinners are turned from their erring ways, the blind are healed, the dumb made to praise God, and infidels and atheists are reclaimed to fall at the feet of Christ. A service is held every Wednesday night, known as an experience or testimonial meeting. At these meetings those who have been healed of sickness or sin give grateful testimony to benefits received through Christian Science, and a visitor to these meetings is impressed with the fact that in this age God is again found to be a "very present help in trouble."

Christian Science points to all that is elevating in character. It upholds chastity and integrity in all social, moral, and political relations. It teaches subordination of the human will to the divine, and that Christ Jesus is the perfect ideal. In a word, Christian Science teaches spiritualization of thought and deed, and leads to a purer and more exalted love for God and man. Contrary to the opinion sometimes held, Christian Science bears no relation to "Spiritualism," "Hypnotism," or to the various schools of so-called "Mind Cure." Its Principle is divine, and the human will has no part in its healing and saving ministry.

The growth of Christian Science all over the world has been phenomenal. In the official directory, published in the *Christian Science Journal*, there are over three thousand recognized and thoroughly equipped practitioners who devote their time to the healing and saving ministry of this Science in nearly nine hundred cities in the United States. In addition to these, there are also fourteen foreign countries there represented. There are four hundred and ninety-four regularly organized churches, and about one hundred and seventy other places where services are held which are officially recognized. With these churches are connected reading rooms where Christian Science literature is kept for the benefit of the public. There are at present ninety-one Christian Science institutes where carefully trained and experienced teachers instruct students in the theology and therapeutics of Christian Science.

## CLAIMS, COMMISSIONERS OF COURT OF.

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• August 1, 1856, James C. Wilson was appointed Commissioner; I. A. Illingworth, in 1857; Edward Clark, in 1858; Joseph Lee, in 1859; William S. Hotchkiss, in 1860.

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## COMPTROLLER OF PUBLIC ACCOUNTS.

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R. M. Love, Comptroller; salary, \$2,500 per annum. James Hampton Walker, Chief Clerk; salary, \$1,700 per annum. Office force: One Chief Clerk, three bookkeepers, twenty-two clerks, seventeen assistant clerks, one stenographer, one messenger, two porters.

The Comptroller is *ex-officio* a member of the State Board of Education.

Comptroller R. M. Love's annual report, transmitted to the Governor December 1, 1901, contains the following interesting information:

Tax collectors during the year ending April 30, 1901, collected a total of \$1,009,050.48 on occupation taxes.

The Comptroller from September 1, 1900, to August 31, 1901, collected \$64,040.89 taxes on property owned by non-residents, and \$31,890.11 taxes on lands and other property situated in unorganized counties.

The total net amount of 1900 revenue and school taxes collected by tax collectors to the date of the report is given as \$3,792,890.72, and the net amount by ex-tax collectors \$439,252.16, making a total of \$4,232,142.88, of which amount the State revenue fund received \$2,236,117.53 and the available school fund \$1,996,025.55.

PROPERTY AND THE VALUE THEREOF IN THE STATE OF TEXAS, AS SHOWN BY THE ASSESSMENT ROLLS FOR 1901, COMPARED WITH THE ASSESSMENT FOR 1900.<sup>1</sup>

Class of Property.	1901.			Average values.			1900.		Increase.		Decrease.	
	Number.	Value.		1901.	1900.		Number.	Value.	No.	Value.	No.	Value.
Land, acres.....	135,801,299	\$ 422,313,732	per acre...	\$ 3 11	\$ 3 02		132,102,824	\$ 398,516,682	3,698,445	\$ 22,797,110		
Towns and City Lots.....	198,820,955		per bend...	26 00	20 25		1,548,733	189,776,828		9,069,127		
Horses and Mules.....	1,531,510	38,816,640	per head...	26 00	10 81		6,308,254	31,520,051		8,296,346	17,223	
Cattle.....	6,894,397	74,598,436	per head...	32 86	27 61		14,565	6,372,020	586,643	74,562		
Jacks and Jennets.....	14,510	476,730	per head...	1 40	1 48		1,571,603	402,168			55	
Sheep.....	1,505,427	2,105,994	per head...	1 40	1 09		382,435	2,333,822	71,422	97,927		
Goats.....	453,357	2,458,897	per head...	1 75	1 65		1,390,931	419,955	160,018			
Hogs.....	1,408,476	2,458,897	per head...	1 75	1 65		32,479	2,298,894	17,545	35,550	2,027	
Dogs.....	30,452	164,116	per head...	5 39	3 00		378,474	126,396				
Carriages, Wagons and other Vehicles.....	421,138	10,623,718	e. ch.	25 22	22 90			8,670,824	42,664	1,050,322		
Goods and Merchandise.....		41,262,901						37,461,779				
Materials and Manufactured Articles.....		2,101,735						1,633,965				
Manufacturers' Tools and Implements.....		10,537,125						9,470,655				
Engines and Bollers.....		4,392,294						3,869,847				
Moneys of Banks, Bankers, etc.....		10,549,843						9,251,347				
Moneys of other than Banks and Bankers.....		15,075,861						8,900,189				
Credits of other than Banks and Bankers.....		16,536,695						16,103,802				
Bonds and Stocks other than U. S. Bonds.....		1,881,158						484,735				
Shares of Capital Stock Companies and Associations.....		5,682,097						4,622,775				
Properties of Companies and Associations other than above.....		1,023,795						1,161,340				
Miscellaneous Property.....		28,868,337	per mile	7,364 91	7,392 81			90,246,960				
Railroads, miles.....	10,011	73,861,063					9,725	71,863,130	316	2,055,935		137,575
Rolling Stock of Railroads.....		10,402,898	per mile	4,955 60	3,541 91		213	9,030,755				31,378,659
City Street Railroads, miles.....	231	1,145,490	per mile	73 21	77 23		23,224	1,860,685				
Telegraph and Telephone Lines, miles.....	27,823	2,037,076	per mile	2,311 92	1,136 40		458	520,470	4,599	254,805	12	
Steam, Sailing and other Vessels.....	185	450,855	each.									
Land of non residents in unorganized counties.....		4,558,008	per acre...	1 00	1 00		5,374,950	5,374,860				
Railroads, miles in unorganized counties.....	59	219,740	per mile	3,728 83	6,049 00		59	356,898				
Telegraph and Telephone Lines, miles in unorganized counties.....	59	1,994	per mile	33 83	50 29			15,500				
Totals.....		\$ 982,187,865						\$ 946,320,258				
Increase.....								* 35,867,607				

\* Add to this \$12,312,924.00 Franchises assessed in 1900, makes actual increase in values \$68,190,231.00. Note.—Total number of Polls assessed, 547,249. 81,091 were calves under one year old, 41,103 steers one year and under, 29,598 steers two years and under three, 12,863 steers three years and under four, 8,696 bulls one year and over, 44,962 heifers one year and under two years, 13,600 dairy cows two years and over, and 181,388 other cows two years old and over. The total number of cattle in the United States and Territories (including Hawaii and Alaska) is given as 67,804,622. The States that nearest approach Texas are Kansas with 4,491,078, Nebraska with 3,176,248, and Illinois with 3,109,010 cattle. The number of sheep given is 1,880,298, and of hogs, 2,665,614. The "Statistical Abstract of the United States, prepared by the Bureau of Statistics, under the direction of the Secretary of the Treasury, and issued December 2, 1901, gives the number of sheep in Texas in 1900, as 2,317,588, the average weight of fleece as 6.5 pounds, and the amount of wool, washed and unwashed, as 15,064,634 pounds. These figures are in excess of those given in the above report of the State Comptroller of Public Accounts. The discrepancy may be partly accounted for by the fact that the number specified by the Comptroller was the number rendered for taxation.

## RAILROADS.

Name of Railroads.	No. of miles.	Value.	Value of rolling stock.	Total assessed value.	Average assessed value per mile.
Acme Railroad Co.....	1.50	\$ 4,000		\$ 4,000	\$ 2,666
Austin & Northwestern.....	103.93	812,340	\$ 100,834	913,274	8,017
Brown & Flewellen.....	1.00	5,500	2,000	7,500	750
Brazos Valley Railway Co.....	3.02	10,240		10,240	3,240
Brownsville & Gulf.....	.75	3,125	1,000	4,125	5,500
Beaumont Lumber Co. Railway.....	6.00	12,000		12,000	2,000
Beaumont Wharf & Terminal.....	2.50	15,000		15,000	6,000
Cane Belt.....	46.47	46,640	6,001	52,641	1,132
Wm. Cameron & Co.....	2.00	4,000		4,000	2,000
Chicago, Rock Island & Pacific.....			79,479	79,479	
Central Texas & Northwestern.....	12.00	102,400	34,600	137,000	11,416
Calvert, Waco & Brazos Valley.....	65.08	452,544	57,896	510,440	7,843
Chicago, Rock Island & Texas.....	110.67	758,171		758,171	6,867
Denison & Washita Valley.....	6.40	57,600	4,909	62,509	9,667
Denison & Pacific Suburban.....	7.54	57,943	4,148	64,091	8,502
Dallas, Fort Worth & Gulf.....	3.50	125,000		125,000	35,714
El Paso & Northeastern.....	26.76	145,840	12,745	158,585	5,918
El Paso & Southern.....	.53	5,000	5,000	10,000	18,868
Fort Worth & Denver City.....	452.28	2,834,740	266,989	3,101,729	6,858
Fort Worth & New Orleans.....	40.50	313,450	8,805	322,255	7,959
Fort Worth & Rio Grande.....	143.68	843,711	74,477	918,188	6,390
Galveston, Houston & Northern.....	49.00	348,000	37,540	385,540	7,868
Galveston, Houston & Henderson.....	44.44	288,170	35,145	323,315	7,274
Galveston, Harrisburg & San Antonio.....	918.28	7,181,294	1,432,180	8,613,474	9,358
Gulf, Beaumont & Kansas City.....	47.15	216,550	46,964	263,514	5,588
Gulf & Brazos Valley.....	7.25	21,750	3,900	25,650	3,537
Gulf & Interstate.....	69.41	127,025	8,119	135,144	1,947
Georgetown & Granger.....	15.00	2,500		2,500	153
Gulf, West Texas & Pacific.....	111.10	774,805	69,582	844,387	7,600
Galveston Western.....	12.70	5,000		5,000	393
Gulf, Colorado & Santa Fe.....	966.69	7,207,212	850,539	8,057,751	8,166
Hearne & Brazos Valley.....	18.50	99,250	2,500	101,750	5,500
Houston, Brazos & Northern.....	1.34	7,000		7,000	5,250
Houston East & West Texas.....	192.49	1,638,900	328,346	1,967,246	9,700
Houston, Oak Lawn & Magnolia Park.....	5.50	15,000	1,700	16,700	3,036
Houston & Texas Central.....	503.47	4,689,853	853,752	5,543,605	11,010
Henderson & Overton.....	16.00	100,000	5,440	105,440	6,580
International & Great Northern.....	755.35	6,791,698	1,142,555	7,934,253	10,538
Jefferson & Northwestern.....	17.00	11,300	1,500	12,800	811
Lancaster Tap.....	4.72	29,400		29,400	6,313
Lone Star Brewing Co.....			2,500	2,500	
Marshall, Timpson & Sabine Pass.....	4.50	9,000		9,000	2,000
Moscow, Camden & San Augustine.....	7.00	21,000	1,500	22,500	3,214
Missouri, Kansas & Texas.....	897.11	7,028,599	765,549	7,794,148	8,685
New York, Texas & Mexican.....	121.50	834,165	104,134	938,299	7,714
Pecos River Railway Co.....	54.13	311,247	7,185	318,432	5,882
Pecos & Northern Texas.....	94.91	301,623	21,193	322,816	3,401
Paris & Great Northern.....	16.81	166,725	15,015	181,740	10,812
Rio Grande Railway Co.....	22.50	67,500	20,900	87,500	3,900
Roganville Lumber Co.....	1.50	450		450	300
Rio Grande & El Paso.....	34.03	194,117	24,744	218,861	6,437
Redwater Lumber Co.....	4.00	4,000		4,000	1,000
Rio Grande & Eagle Pass.....	25.00	100,000	16,250	116,250	4,650
San Antonio & Aransas Pass.....	687.85	5,112,740	535,447	5,648,187	8,211
San Antonio & Gulf.....	36.93	205,497	7,970	213,467	5,763
Sugar Land Railway Co.....	14.20	48,200		48,200	3,253
Sherman, Shreveport & Southern.....	140.68	1,028,025	85,238	1,113,263	7,912
Southern Kansas.....	115.13	707,174	31,488	738,662	6,415
Texas Transportation Co.....	.14	1,000	2,500	3,500	10,500
St. Louis & Southwestern.....	640.60	5,068,277	625,807	5,694,084	8,888
Texarkana & Fort Smith.....	80.65	608,642	26,907	635,549	7,860
Texas Central.....	225.74	895,114	62,036	957,150	4,240
Texas, Louisiana & Eastern.....	17.50	78,750	15,260	94,010	5,373
Texas Midland.....	112.68	949,535	166,065	1,115,590	9,900
Texas Mexican.....	173.68	793,854	34,128	827,982	4,767
Texas, Sabine Valley & Northwestern.....	54.05	208,055	10,066	218,115	4,035
Texas Southern.....	34.00	52,000	4,500	56,500	1,661
Trinity Valley Railway Co.....	2.60	10,400	3,050	13,450	5,172
Texas City Terminal.....	4.00	12,000	1,000	13,000	3,250
Texas Tram & Lumber Co.....	8.00	18,000		18,000	2,250
Texas & New Orleans.....	338.45	2,751,493	624,449	3,375,944	9,974
Texas Western.....	6.25	12,000		12,000	1,923
Texas & Pacific.....	1,048.70	9,278,355	1,428,667	10,707,022	10,306
Uvalde Asphalt Co. Railway.....	6.00	10,000		10,000	1,666
Velasco Terminal.....	20.00	80,000	1,000	81,000	4,050
Weatherford, Mineral Wells & Northwest- ern.....	23.00	115,000	14,285	129,285	5,621

**RAILROADS—continued.**

Name of Railroads.	No. of miles.	Value.	Value of rolling stock.	Total assessed value.	Average assessed value per mile.
Wichita Valley Railway .....	53.89	210,970	7,373	218,343	4,051
Warren & Corsicana Pacific.....	18.00	37,000	1,120	38,120	2,115
Wichita Falls Railway.....	18.38	116,043	.....	116,043	6,313
W. G. Ragley Lumber Co. Railway .....	17.50	33,700	2,000	35,700	2,040
Totals .....	10,100.00	\$ 74,170,805	\$ 10,015,626	\$ 84,186,431	\$ 8,335

**TOTAL VALUE OF PROPERTY ASSESSED IN THE STATE FOR YEARS 1846 TO 1900.**

Year.	Rate of tax.		Total valuation.	Year.	Rate of tax.		Total valuation.
	Revenue.	School.			Revenue.	School.	
1846.....	\$ 0 20	.....	\$ 34,391,175	1874.....	\$ 0 50	.....	\$ 244,510,558
1847.....	20	.....	37,562,505	1875.....	50	.....	249,275,979
1848.....	20	.....	43,812,537	1876.....	50	.....	256,704,189
1849.....	20	.....	46,241,589	1877.....	50	.....	319,373,221
1850.....	15	.....	51,814,615	1878.....	50	.....	303,202,424
1851.....	15	.....	69,739,581	1879.....	50	.....	304,193,163
1852.....	15	.....	80,754,091	1880.....	50	.....	311,470,738
1853.....	15	.....	99,155,114	1881.....	40	.....	357,000,000
1854.....	15	.....	126,981,617	1882.....	30	.....	419,925,476
1855.....	15	.....	149,521,451	1883.....	30	.....	527,537,330
1856.....	15	.....	161,304,025	1884.....	17½	\$ 0 12½	603,060,917
1857.....	15	.....	183,594,205	1885.....	25	12½	621,011,989
1858.....	12½	.....	193,636,818	1886.....	25	12½	630,591,029
1859.....	12½	.....	224,353,296	1887.....	25	12½	650,412,401
1860.....	12½	.....	294,315,659	1888.....	10	12½	681,084,904
1861.....	16½	.....	256,784,482	1889.....	20	12½	729,175,564
1862.....	25	.....	.....	1890.....	20	12½	782,111,883
1863.....	50	.....	.....	1891.....	16½	12½	856,202,283
1864.....	50	.....	358,101,886	1892.....	15	12½	856,526,600
1865.....	12½	.....	.....	1893.....	15	12½	886,175,385
1866.....	20	.....	.....	1894.....	15	12½	865,120,989
1867.....	20	.....	170,005,545	1895.....	25	20	860,910,567
1868.....	15	.....	144,260,244	1896.....	20	18	850,309,246
1869.....	15	.....	149,655,386	1897.....	20	18	854,891,775
1870.....	15	.....	170,473,778	1898.....	20	18	854,619,365
1871.....	50	.....	222,504,073	1899.....	20	18	922,927,231
1872.....	50	.....	208,508,372	1900.....	16½	18	946,320,258
1873.....	50	.....	223,410,920				

The following historical matter relating to the department has been collected from original records for the YEAR BOOK.

**Comptrollers, Republic.**

Under the provisional government: John H. Money<sup>1</sup> and later H. C. Hudson.<sup>2</sup>

<sup>1</sup>The office of Comptroller of Public Accounts was created by an ordinance of the General Council of the Provisional Government, passed December 26, 1835; enrolled December 27th, and transmitted to Gov. Henry Smith for approval or return with his objections thereto, and December 29, having been returned by him with the suggestion that certain amendments be incorporated, immediately and unanimously passed over his veto, without amendment. John H. Money was elected Comptroller by the Council at 7 p. m., December 30th. He was

Under the government ad interim: H. C. Hudson.

Under President Houston (first term): E. M. Pease from June to December, 1837; F. R. Lubbock from December, 1837, until January 16, 1839.

Under President M. B. Lamar: James W. Simmons, appointed January 16, 1839 (resigned September 30, 1840, to accept the position of Treasurer); James B. Shaw, appointed September 30, 1840.

Under President Houston (second term): F. R. Lubbock, appointed December 24, 1841; resigned a few days later, and was succeeded by James B. Shaw, who filled the position through the remainder of Houston's term and during the administration of President Jones that followed.

#### COMPTROLLERS, STATE.

	Elected by legislature.	Elected by the people.	Qualified.	Appointed.	Remarks.
James B. Shaw.....	Feb. 24, 1846				
James B. Shaw.....	Feb. 7, 1848				
James B. Shaw.....		Aug. 5, 1850			
James B. Shaw.....		Aug. 2, 1852			
James B. Shaw.....		Aug. 7, 1854			
James B. Shaw.....		Aug. 4, 1856	Oct. 31, 1856		
Clement R. Johns...		Aug. 2, 1858	Oct. 19, 1858		
Clement R. Johns...		Aug. 6, 1860	Oct. 22, 1860		
Clement R. Johns...		Aug. 4, 1862			
Willis L. Robards...		Aug. 1, 1864	Nov. 3, 1864		
Albert H. Latimer...				Oct. 12, 1865	Appointed by Gov. A. J. Hamilton.
Robert H. Taylor... (vice Latimer resigned.)				Mar. 27, 1866	Appointed by Gov. A. J. Hamilton.
Willis L. Robards...		June 25, 1866			Removed by Gen. Griffin August 27, 1867.
Morgan C. Hamilton.				Aug. 27, 1867	Appointed by Gen. Griffin.
A. Bledsoe.....		Nov. 30-Dec. 3, 1869.		Jan. 8, 1870	Appointed by Gen. J. J. Reynolds to act as Provisional Comptroller until Congress accepted or rejected the Constitution of 1869.
Stephen H. Darden.....		Dec. 2, 1873	Jan. 20, 1874		
Stephen H. Darden.....		Feb. 15, 1876	April 23, 1876		
Stephen H. Darden.....		Nov. 5, 1878	Jan. 21, 1879		
W. M. Brown.....		Nov. 2, 1880			
W. J. Swain.....		Nov. 7, 1882	Jan. 16, 1883		
W. J. Swain.....		Nov. 4, 1884	Jan. 12, 1885		
John D. McCall.....		Nov. 2, 1886	Jan. 18, 1887		
John D. McCall.....		Nov. 6, 1888			
John D. McCall.....		Nov. 4, 1890	Jan. 20, 1891		
John D. McCall.....		Nov. 8, 1892	Jan. 17, 1893		
John D. McCall.....		Nov. 8, 1894	Jan. 13, 1895		
R. W. Finley.....		Nov. 6, 1896	Jan. 19, 1897		
R. W. Finley.....		Nov. 3, 1898			
R. W. Finley.....		Nov. 8, 1898			
R. M. Love.....		Nov. 6, 1900	Jan. 15, 1901		

Treasurer of the Municipality of Austin at the time of his election to the office of Comptroller. He was succeeded as Comptroller by H. C. Hudson, and January 17, 1836, was elected by the Council Marshal of Texas.

<sup>2</sup>Hudson was elected Comptroller January 9, 1836, at which time he was serving as second judge of the municipality of Austin. The Journal of the General Council for January 13, 1836, contains the following: "H. C. Hudson appeared and filed his bond with approved security and took the oath of office as Comptroller."



## CONFEDERATE HOME, AUSTIN.

Rufus Y. King, Superintendent; salary, \$1,500 per annum. Board of Managers: J. B. Rogers, President; A. W. McIver, E. P. Reynolds, D. S. Chessher, and W. T. Wroe.

Total appropriation for the support of the Home for the six months ending August 31, 1901, \$22,198; for the two years ending August 31, 1903, \$116,060.

The first legislative action taken in Texas in behalf of disabled and indigent ex-Confederate soldiers was by the Seventeenth Legislature, which at its regular session passed, with amendments,<sup>1</sup> a bill introduced by Senator (now, 1902; Congressman) Sam Bronson Cooper, March 9, 1881, entitled "An Act granting to persons who have been permanently disabled by wounds received while in the service of this State, or of the Confederate States, a land certificate for twelve hundred and eighty acres of land." The act was approved by Governor O. M. Roberts April 5, 1881, and took effect June 30, 1881, ninety days after the adjournment of the Legislature.

To be entitled to the benefits of the act, applicants were required to be bona fide residents of the State at the time of the passage of said act; to have been citizens of Texas at the time of enlisting for the military service specified; to be permanently disabled from earning a living by reason of wounds received in actual service; and not to have property of the value of \$1,000; or to be widows of soldiers who were killed in actual service, said widows not to own \$1,000 in property, nor to have remarried.

This act was repealed by an act of the Eighteenth Legislature, approved February 2, 1883, that contained the following clause: "The fact that the public domain is exhausted creates an emergency which requires that this act take effect and be in force from and after its passage, and it is so enacted."

The last Confederate certificate under the Act of April 5, 1881, was No. 2,068, issued to W. J. Johnson for 1,280 acres of land February 16, 1883.

The John B. Hood Camp of Confederate Veterans, at Austin, secured a charter of incorporation November 28, 1884, mainly for the purpose of providing a home for disabled Confederate soldiers. The incorporators were W. M. Hunter, Joe H. Stewart, R. L. Walker, James M. Goggin, D. N. Robinson, Charles H. Powell, Fred Carleton, J. R. Holland, and J. H. Ingram. The Board of Trustees specified in the charter were: Fred Carleton, A. M. Jackson, B. Melasky, T. F. Pinckney, W. M. Brown, Richard Coke, B. C. Giles, Joe H. Stewart, J. D. Sayers, R. Lindsay Walker, Charles H. Powell, James M. Goggin, and Val C. Giles.

Mrs. Giles raised \$1,000 for the Home, and other funds having been

<sup>1</sup>The amendments were offered by Merritt, Caven, Wurzbach, Marr, and Finlay, members of the House, and adopted by that body. The Senate refused to concur in the House amendments, and the following Free Conference Committee was appointed: On the part of the Senate, S. B. Cooper, Chairman; R. M. Wynne, W. W. Weatherford, L. S. Ross and John Young Gooch; and on the part of the House, M. T. Smith, Chairman; W. J. Caven, W. W. Merritt, Geo. P. Finlay, and F. M. Daugherty. The bill reported by the Free Conference Committee was adopted. The changes made from the original bill were not radical, the amount of the donation and the land set apart remaining the same.

secured, the Camp, February 19, 1886, bought of John B. and Mrs. Mary A. Armstrong a tract of sixteen and two-thirds acres of land (part of that now occupied by the Confederate Home)<sup>1</sup> for \$4,000, paying \$3,000 in cash and giving a note for \$1,000, payable in twelve months.

At the suggestion of Mrs. Val C. Giles, a Grand Gift Concert and Lottery were held December 27, 28, and 29, 1886, that netted the Camp \$10,851.67. Out of this sum the \$1,000 note was paid February 24, 1887.

There were 3,000 prizes, ranging in value from \$1.00 to \$500—articles of every description, including several deeds to tracts of land—donated by citizens of Texas and other States. A newspaper was printed in which the names of contributors were published. Such articles as could be best preserved in that way were kept in a storeroom on the Avenue, of which Mrs. Giles was placed in charge.

The committee of the Camp to whom were assigned the discharge of all duties connected with the concert consisted of Gen. Henry E. Shelley, Dr. Frank Rainey, and A. J. Jernigan. When the drawings took place they were assisted by Dr. Charles S. Morse, Clerk of the Supreme Court; Z. T. Fulmore, Ex-County Judge; B. C. Giles, and George Criser; Sam H. Dixon and F. R. Shipman, tally keepers; Gen. A. S. Roberts, caller of prizes, and Gen. W. P. Hardeman. E. T. Moore and C. M. Campbell rendered valuable assistance in relieving the regular force. Two little girls from the State Institution for the Blind drew the tickets from the lottery wheels.

In the Senate of the Twentieth Legislature, March 21, 1887, Hon. R. H. Harrison, of Waco, Senator from the district composed of McLennan and Falls counties, introduced, by request (it is to be supposed of a committee of John B. Hood Camp), a bill entitled "An Act to make an appropriation of land for the endowment of a home for indigent and disabled Confederate veterans, at Austin, Texas." The Committee on Public Lands, to which it was referred, reported March 23rd, and recommended the passage of a substitute bill. No further action was taken. Its constitutionality was more than doubtful, and the power of the Legislature to divert the lands in the forfeited reservation to any purpose other than the fund to which they reverted by operation of law was afterward denied. In view of these facts, perhaps the Home lost nothing by the bill not being pushed to enactment.

During 1887, Gen. Henry E. McCulloch collected \$1,500 and Capt. Wm. C. Walsh \$600 or \$700 for the Home, voluntary contributions paid them as agents of the Camp. Capt. Sadler (later a prominent candidate for State Treasurer) also raised a considerable sum, and small amounts were later realized from lectures delivered by Oscar J. Lawrence and Maj. Joe H. Stewart.

To aid the Home, the Twenty-first Legislature passed an act, approved March 30, 1889, directing the Superintendent of Public Buildings and Grounds to lease the temporary capitol building to the John B. Hood Camp for a term of ten years, at \$5.00 per annum, the intention being to enable the Camp to rent the rooms in the building to various persons for offices and thereby derive a permanent revenue for the Home.

The need of funds became pressing in 1889, and an appeal for aid was drafted by the following committee, and published in the leading papers of the State: L. S. Ross, Chairman; Z. T. Fulmore, Secretary; R. M.

<sup>1</sup>The remainder of the tract was purchased after the transfer of the Home to

Swearingen, John B. Rector, W. R. Hamby, N. G. Shelley, X. B. DeBray, Henry E. Shelley, W. C. Walsh, J. J. Tobin, A. P. Wooldridge, and F. T. Roche.

Governor Ross was an ardent advocate of the Home with voice and pen and brought to bear the full force of his great personal and political influence to secure its establishment as a State institution. The course pursued by him decisively swelled the tidal wave of popular opinion until it wafted the measure to success.

Among the first to respond to the appeal of the committee were the Railroad and Traveling Men's Aid Association (headquarters at Dallas) with \$4,500; the young ladies of Pleasanton with \$40, and the school children of Jewett with \$42.

Maj. Joe H. Stewart was sent North to solicit funds and secured \$5,500, notwithstanding a letter published by Henry W. Grady in the *Atlanta Constitution* that greatly chilled the ardor of the people of that section. The local Grand Army Camp at Austin, the Grand Army Camps in Boston, New York, and elsewhere, and Gen. E. B. Loring and others, were active in kind words and deeds for the promotion of the enterprise.

In an article published in the *Houston Post*, Mrs. Mary H. Mitchell says:

"After Major Stewart's recall \* \* \* Mrs. Rosine Ryan and Mrs. Mitchell \* \* \* conceived the idea of asking each citizen of Austin to contribute \$1.00 to the Home. Mrs. Ryan and I at once called on Maj. Henry E. Shelley, offering our services and asking authority from the Camp, which was extended. We then solicited the co-operation of Mrs. R. A. Smith, Mrs. W. H. Tobin, and Mrs. Frank Rainey in a full and thorough canvass of Austin. The two latter ladies heartily joined us and we entered at once and heartily into the work. Mrs. R. A. Smith, being called away to Ballinger, signified her intention of canvassing that town and, calling to her assistance Mrs. A. S. Reed and Mrs. Jeff Erwin, a handsome purse was soon forwarded from them. These earnest women also canvassed, by letter and agents, the smaller towns around them. The canvass of Austin was completed after two weeks of almost constant labor, resulting in \$1,000. After some deliberation, Mrs. Ryan and I decided to call upon the leading ladies in every town in the State to organize themselves, with a view to aiding the Home until it was fully endowed. \* \* \* Nobler and abler women do not live \* \* \* than we found in our work for the Home. \* \* \* Mrs. S. R. Coggin, of Brownwood, is but one instance among many. This good, true woman so organized her societies that the \* \* \* women of Brown county spent their evenings in making quilts and socks, which were forwarded in addition to the money they raised and sent. \* \* \* I remember especially the letters full of anxious thought I had from Mrs. E. N. McAnaly, of McKinney. \* \* \* Many valuable suggestions also came along with the hundreds of dollars sent by Mrs. John C. West, Mrs. Judge Walker, Mrs. E. J. Gurley, and Mrs. R. B. Parrot, of Waco."

She then mentions in terms of highest praise Mrs. Nellie Branch Stone, of Galveston; Mrs. John A. Green, of San Antonio, and Mrs. T. W. House, of Houston, pays merited tributes to her co-worker, Mrs. Ryan, and to Maj. Shelley, says that \$500 was sent from Galveston and \$110 from San Antonio, and that the total amount raised by the ladies was

something over \$11,000, and states that by the middle of the year 1890 the board had about \$16,000 invested.

Commenting on Mrs. Mitchell's article, the *Post* says:

"When the \* \* \* committee of ladies began their work soliciting one dollar contributions, public feeling on the subject was very cold. They met with many reverses before they found \* \* \* success. At last, in view of the coming State election, \* \* \* some bright woman's mind conceived the idea of making the support for veterans a political issue, a woman's crusade. Consequently the ladies of every district sought out their Representative and pledged him to support the proposition. \* \* \* Attorney General Hogg, \* \* \* candidate for Governor, \* \* \* took up the issue in his opening speech at Rusk, April 19, 1890, and sounded it over the State. In the speech at Rusk he said: 'Texas should now endow, support, and maintain a Confederate Home. It should be one in whose precincts no inmate would feel as a pauper, but like an independent proprietor surrounded by all the comforts of the home he lost when he responded to his country's call—an elysian retreat where the pains of his wounds, in declining years, could be soothed by gentle hands and his State's ingratitude forgiven and forgotten.'"

Public sentiment was aroused to the point that it demanded imperatively that the Home should be made a State institution and liberally supported, and a plank declaring in favor of the State maintaining a Confederate Home was drafted by Hon. Horace Chilton and incorporated in the platform adopted by the State Democratic Convention at San Antonio in 1890.

Hon. W. M. Brown, Judge Fred Carleton, and Gen. Henry E. Shelley, a committee appointed for that purpose by John B. Hood Camp, drew a bill, to be introduced in the Legislature, providing for the transfer of the Home to the State. This work having been completed, they decided to call upon Hon. James S. Hogg, before his inauguration as Governor, to learn if its provisions met with his approval. Judge Carleton being indisposed, Messrs. Brown and Shelley requested Judge Z. T. Fulmore to accompany them to the Attorney General's office. Arrived there, a free exchange of opinions was had. The result of the conference was that the committee left assured that the measure, as drawn, met with the approval of the Governor-elect.

The bill was introduced in the House by Hon. A. W. Terrell, who piloted it through the shoals and devious channels of legislative procedure to speedy enactment, it suffering but few and comparatively unimportant amendments.

The measure was approved by Governor Hogg February 27, 1891, and Joseph A. Nagle, Commander of the Camp, acting under authority of a resolution adopted by the Camp, deeded the property to the State March 6, 1891.

The Camp retained all the funds it held—a large sum, which, since augmented by the accumulation of interest, is now being used to partly pay for the magnificent \$25,000 Confederate monument being erected by the Camp in the capitol yard, a short distance north and east of the main south entrance to the grounds.

Section 8 of the Act of February 27, 1891, is as follows:

"For the purpose of carrying into effect this law, so much of the proceeds arising from the rentals from all vacant lots or parts of lots and blocks in the city of Austin belonging to the State, not now occupied by

the State and used by it, or occupied by church edifices, which shall be leased by the Superintendent of Public Buildings and Grounds for a long term, the proceeds of the sale of about six and a half acres of land on the south side of the Colorado river, in Travis county, known as the Fish Pond, which land the Superintendent of Public Buildings and Grounds is hereby authorized to sell, all fees of the Commissioner of Insurance, Statistics, and History in excess of the expenses of his office, all money now in the State treasury to the credit of escheated estates, and all money arising hereafter from the sale of escheated estates, all lands hereafter purchased by the State under execution, the proceeds from the sales of all personal property belonging to the State not used by other institutions to which it may belong, all money derived from the lease of the temporary capitol, and the fees received by the Secretary of State in excess of the expenses of his office, as shall not exceed the sum of sixty-five thousand dollars, or so much thereof as may be necessary, is hereby set aside and appropriated for additional buildings and grounds and improvements of the grounds and support and maintenance of the said Confederate Home for the two years ending March 1, 1893."

The general appropriation bill passed by the Twenty-third Legislature, and approved May 10, 1893, appropriated a total of \$75,090 for the support of the Home for the two years ending February 28, 1895, "to be paid out of the several sources of revenue specified in the act of \* \* \* February 27, 1891."

It being represented that the Act of February 27, 1891, and proceedings had thereunder, were in violation of Article 3, of Section 51, of the State Constitution, and, further, that the Legislature had no right to appropriate the proceeds of escheated estates to the use of the Home, the Twenty-third Legislature at the same session adopted a concurrent resolution, approved April 8, 1893, proposing to amend Article 3, of Section 51, of the Constitution so as to specifically grant power to establish and maintain a home for disabled and indigent Confederate soldiers and sailors, and providing that not more than \$100,000 per annum should be appropriated for the support of said home. The amendment was voted upon at an election held on the first Monday in November, 1894, and declared adopted December 22, 1894. An act was passed by the Twenty-fifth Legislature to carry into effect the provisions of said amendment, and was approved April 12, 1895.

John B. Hood Camp's existence antedates the organization of the United Confederate Veterans Association. The Camp having succeeded in its first great purpose, the establishment of the Confederate Home, later reorganized under an amendment to its charter permitting it to erect a Confederate monument. The Camp was admitted to membership in the United Confederate Veterans Association March 21, 1892.

The following have served as Superintendents of the Home:

Hon. Charles D. Barnett (employed by John B. Hood Camp) from 1887 to March, 1891 (when the Home became a State institution); Hon. Charles D. Barnett (elected by the Board of Directors appointed by Governor Hogg) from 1891 to 1895; Gen. W. P. Hardeman from January, 1895, until his death, April 8, 1898; Gen. Henry E. Shelley from April 12, 1898, to January 31, 1899; and Hon. Rufus Y. King from February, 1899, to the present time.

The first Board of Directors appointed by Governor Hogg were F. T. Roche, Henry E. Shelley, Isaac Stein, Lee Shackelford, and W. B.

Walker, all of Austin. Some months later Walker resigned and M. Looscan, of Houston, was appointed in his stead.

The number of inmates when the State assumed control in March, 1891, was fifty-three. On the first of December of that year the number had increased to ninety-one, and on the first of December, 1894 (the last report of Capt. Barnett) there were one hundred and forty-seven inmates. During Governor Culberson's administration, up to the date of Gen. Hardeman's death, the number increased to two hundred and seventeen. During the ten months remaining of Governor Culberson's administration, and at the date of the retirement of Gen. Henry E. Shelley, the number had increased to two hundred and forty-two. The number of inmates now (January 15, 1902) is two hundred and sixty.

The number of buildings now on the grounds is nineteen, described as follows:

(1) Superintendent's, or Administration, building (the basement of which is the dining room for inmates not in the hospital); two stories; brick.

(2) Old Hospital; one story; brick.

(3) New Hospital; one story; brick; capacity, eighty patients.

(4) Sixteen cottages; all, except three, brick structures.

The Administration Building was erected by the State after the transfer of the Home, and ten acres added (by purchase) to the original tract.

The Home is situated on a beautiful site in the western suburbs of the city, within easy reach of the street car line, and is a well-managed, quiet, and delightful retreat in which war-worn and time-worn veterans of the Confederacy are passing the few declining years that remain to them. It is a source of gratification and pride to every true Texan that this feeble band, at least, out of the mighty and valiant host that battled under the Southern banner, are sheltered in a haven, guarded by the strong arm of a grateful State, where no storm from the tempestuous outer world can penetrate.

## CONGRESS, MEMBERS OF, REPUBLIC OF TEXAS.

### Senate, First Congress.<sup>1</sup>

First session, at Columbia, October 3, 1836, to December 21, 1836. Vice-President Lorenzo de Zavala President of the Senate until October 22nd, and Vice-President Lamar thereafter.

*Other Officers, First Session.*—Richard Ellis, President Pro Tem.; Richardson Scurrey, Secretary; Massellon Farley, Assistant Secretary; Wm. King, Sergeant-at-Arms; Joshua Canter, Doorkeeper.

*Officers Second Session, May 1, 1837, to June 13, 1837, at Houston.*—Jesse Grimes, President Pro Tem.; Arthur Robertson, Secretary; E. M.

<sup>1</sup>Article 1, Section 7, Constitution, 1836: \* \* \* the number of Senators shall never be less than one-third nor more than one-half the number of Representatives \* \* \*.

Section 8. The Senators shall be chosen for the term of three years, on the first Monday in September \* \* \*; and shall have attained the age of thirty years.

Section 9. At the first session of Congress after the adoption of this Constitution, the Senators shall be divided by lot into three classes, as nearly equal

Glenn, Assistant Secretary; E. L. Stickney, Enrolling Clerk; Oscar Farish, Engrossing Clerk; N. T. Byars, Sergeant-at-Arms; Marshall Mann, Doorkeeper; A. M. Tompkins, Reporter.

**Members.**—Shelby Corzine, Richard Ellis, Stephen H. Everett, Jesse Grimes, A. C. Horton, Robert A. Irion, Willis H. Landrum (resigned April 30, 1837), James S. Lester, Edwin Morehouse, Sterling C. Robertson, Francisco Ruiz, Alexander Somervell, W. H. Wharton, and Robert Wilson. Wharton resigned to accept the appointment of Minister to the United States, and was succeeded by James Collingsworth.

#### House of Representatives, First Congress.<sup>1</sup>

Convened at Columbia October 3, 1836; remained in session at that place until December 21, 1836, and then adjourned to meet in Houston (the newly selected capital) May 1, 1837. Adjourned *sine die* June 13, 1837.

**Officers.**—Ira Ingram, Speaker at the first, and Branch T. Archer at the second session (Ira Ingram resigned his seat in the House April 5,

as practicable; the seats of the Senators of the first class shall be vacated at the end of the first year; of the second class at the end of the second year; the third class at the end of the third year, in such manner that one-third shall be chosen each year thereafter.

Section 19. When vacancies happen in either house, the Executive shall issue writs of election to fill such vacancies.

The following list is of value only for the reason that it will give the reader a definite idea when the men of especial distinction mentioned served in the Senate:

Names.	District.	Term of Service.	When Out.
G. B. Barnett.....	Washington and Montgomery.....	September, 1840...	
Edward Burleson.....	Gonzales, Fayette and Bastrop...	September, 1841...	Resigned.
I. W. Burton.....	Nacogdoches and Houston.....	September, 1840...	
John Dunn.....	San Patricio, Refugio and Goliad.....	September, 1840...	
Richard Ellis.....	Red River and Fannin.....	September, 1840...	Resigned.
S. H. Everitt.....	Jasper and Jefferson.....	September, 1839...	
John A. Greer.....	San Augustine.....	September, 1839...	
Oliver Jones.....	Austin, Colorado and Fort Bend.....	September, 1841...	
Harvey Kendrick.....	Matagorda, Jackson and Victoria.....	September, 1841...	
Emory Raines.....	Shelby and Sabine.....	September, 1840...	Resigned.
J. N. Seguin.....	Bexar.....	September, 1839...	
B. Stroud.....	Milam and Robertson.....	September, 1841...	
Wm. H. Wharton.....	Brazoria.....	September, 1841...	Died before end of term.
Robert Wilson.....	Harrisburg and Liberty.....	September, 1839...	
Anson Jones.....	Brazoria.....	September, 1841...	
— Lester.....	Gonzales, Fayette and Bastrop.....	September, 1841...	
S. H. Everitt.....	Jasper and Jefferson.....	September, 1843...	
John A. Greer.....	San Augustine.....	September, 1842...	
— Gaines.....	Shelby and Sabine.....		
Francis Moore.....	Harrisburg, Liberty and Galveston.....	September, 1843...	

<sup>1</sup>Article 1, Section 3, Constitution, 1836: The members of the House of Representatives shall be chosen annually on the first Monday in September of each year until Congress shall otherwise provide by law, and shall hold their offices one year from the date of their election. [No change was made and they continued to be elected on the first Monday in September during the existence of the Republic.]

Section 4. No person shall be eligible to a seat in the House of Representatives until he shall have attained twenty-five years, \* \* \*

Section 5. The House of Representatives shall consist of not less than twenty-four nor more than forty members until the population shall amount to one hundred thousand souls, after which time the whole number of Representatives shall not be less than forty, nor more than one hundred.

1837); Willis A. Farris, Chief Clerk at the first, and Wm. Fairfax Gray at the second session; J. W. Moody, Assistant Chief Clerk at the first, and John D. Simpson at the second session; William D. Thompson, Engrossing Clerk at the first, and Thos. Green at the second session; W. T. Hendricks, Doorkeeper at the first, and Abner S. McDonald, and later S. L. Johnson at the second session; A. L. Harrison, and later Augustus Parker, Sergeant-at-Arms at the first, and George S. Stratton at the second session; Mark J. Favel, Reporter; Thomas Blackwell, Recording Clerk.

*Members.*—Moseley Baker, Thomas J. Green, J. G. Robertson (died during first session and was succeeded by Jesse Burnham), John Chenoweth, John W. Moore (succeeded by Jesse H. Cartwright), Sam A. White, S. L. Lewis, Claiborne West, E. T. Branch, John W. Bunton, Jesse Billingsley, Ira Ingram (succeeded on resignation by D. Davis), D. Baker, F. M. Wethered (unseated on contest by Samuel T. Allen), Elkanah Brush, John Turner (unseated on contest by John Geraghty), M. W. Matthews, Wm. Becknell, George W. Wright (Matthews resigned at second session, and Becknell's seat, on contest, on his own motion, was given to Collin McKinney), W. W. Holman, Dr. Joseph Rowe, John Boyd, Wm. W. Hill, W. W. Grant, Richard Roman, John K. Allen, H. H. Edwards (succeeded by Haden Arnold at the second session), Richard Hooper, Sidney O. Pennington, Branch T. Archer, John A. Wharton, Wm. S. Fisher.

#### **Senate, Second Congress.**

M. B. Lamar, Vice-President of the Republic, President of the Senate.

Called session, at Houston, September 25, 1837, to November 4, 1837.

*Officers.*—Stephen H. Everitt, President Pro Tem.; Arthur Robertson, Secretary; Manasseh Sevey, Assistant Secretary; Oscar Farrish, Engrossing Clerk; E. L. Stickney, Enrolling Clerk; A. M. Tompkins, Reporter; N. T. Byars, Sergeant-at-Arms; James G. Wilkinson, Doorkeeper.

*Officers Regular Session, at Houston, November 6, 1837, to December 19, 1837.*—Same as at special session, with the exception of John Hadenought, who was elected Assistant Sergeant-at-Arms.

*Officers Adjourned Session, at Houston, April 9, 1838, to May 24, 1838.*—Wm. Fairfax Gray, Secretary; Wm. Y. Allen, Chaplain; Edward H. Winfield, Assistant Secretary; ——— Brashear, Engrossing Clerk; Manasseh Sevy, Enrolling Clerk; James D. Cocke, Reporter; other officers the same.

*Members.*—Henry W. Augustin (succeeded by John A. Greer), George W. Barnett, Isaac W. Burton, John Dunn, Richard Ellis, Stephen H. Everitt, A. C. Horton, James S. Lester, Emory Raines, Sterling C. Robertson, Thomas J. Green, Alexander Somervell, Robert Wilson, and W. H. Wharton. (Collingsworth, who was elected Chief Justice, later resigned, and at the adjourned session was succeeded by Wm. J. Russell.)

#### **House of Representatives, Second Congress.**

*Officers Called Session.*—Joseph Rowe, Speaker; John M. Shreve, Chief Clerk; F. R. Lubbock, Assistant Chief Clerk; G. S. Stratton, Sergeant-at-Arms; S. L. Johnson, Doorkeeper; Thomas Green, Engrossing Clerk.

*Officers Regular Session.*—Joseph Rowe, Speaker; F. R. Lubbock,



Chief Clerk; A. L. McCoy, Assistant Chief Clerk; Thomas Green,<sup>1</sup> Engrossing Clerk; R. D. Johnson, Enrolling and Recording Clerk; S. L. Johnson, Doorkeeper; G. S. Stratton, Sergeant-at-Arms.

*Officers Adjourned Session.*—Joseph Rowe, Speaker; Benj. Sturgis, Chief Clerk; James D. Owen, Assistant Chief Clerk; John H. Herndon, Engrossing Clerk; James G. Simmons, Reporter; George S. Stratton, Sergeant-at-Arms; Marshall Mann, Doorkeeper.

*Members.*—Jesse Billingsley, Ed. T. Branch, Thos. H. Brennan, Elk-anah Brush (succeeded by James Power), Joseph Baker, Edward Burleson, Wm. Clark (resigned and was succeeded by John Boyd), L. C. Cunningham, Kelsey H. Douglas, John English, W. W. Gant, Joseph Grigsby, Thomas J. Gazely, W. G. Hill (resigned August 22, 1837), Wm. W. Hill, Thomas J. Hardeman, Anson Jones, Oliver Jones, Patrick C. Jack, Samuel S. Lewis (died and was succeeded by Timothy Swift), John J. Linn, Stephen O. Lumpkin, Wm. Menifee, Collin McKinney, Wm. H. Patton, A. Ponton, William Pierpont, Joseph Rowe, Thomas J. Rusk, Daniel Rowlett, George Sutherland, Charlton Thompson, F. W. Thornton, E. H. Tarrant (resigned and was succeeded by Peyton S. Wyatt), Wm. E. Walker.

#### **Senate, Third Congress.**

At Houston, November 5, 1838, to January 24, 1839.

*Officers.*—David G. Burnet, Vice-President of the Republic, President of the Senate; S. H. Everitt, President Pro Tem.; John D. McLeod, Secretary; Algernon P. Thompson, Assistant Secretary; W. H. Grimes, Second Assistant Secretary; Wm. T. Brannum, Enrolling Clerk; W. P. Brashear, Engrossing Clerk; E. L. Stickney, Reporter; Wm. L. Foster, Sergeant-at-Arms; J. G. Wilkinson, Doorkeeper; Rev. Frazier, Chaplain.

*Members.*—Geo. W. Barnett, I. W. Burton, Edward Burleson, John Dunn, Richard Ellis, S. H. Everitt, John A. Greer, A. C. Horton, Oliver Jones, Harvey Kendrick, Emory Raines, Juan Seguin, Benoni Stroud, Wm. H. Wharton, Robert Wilson.

#### **House, Third Congress.**

*Officers.*—John M. Hansford, Speaker; J. W. Eldridge, Chief Clerk; Wm. Badgett, Assistant Chief Clerk; Richard Bache, Enrolling Clerk; Thomas Green, Engrossing Clerk; James Burke, Reporter; George S. Stratton, Sergeant-at-Arms; S. L. Johnson, Doorkeeper; Rev. John McCulloch, Chaplain.

*Members.*—Moseley Baker, Thomas Barnett, Joseph L. Bennett, John W. Bunton, Anthony Butler, John Caldwell, Isaac Campbell, Holland Coffee, Ezekiel W. Cullen, Louis P. Cook, Edward L. Holmes, Greenleaf Fisk, John H. Fowler, Joseph Grigsby, John M. Hansford, George W. Hill, Edward L. Holmes, Isaac N. Jones, Hugh B. Johnson, A. R. Johnson, James R. Jenkins, David S. Kaufman, James Kerr, Wm. Lawrence, J. J. Linn, Wm. Menifee, K. H. Muse, Jose Antonio Navarro, Benjamin Odum, John Payne, Isaac Parker, Alonzo B. Sweitzer, Andrew Rabb (resigned and was succeeded by James S. Lester), Richard Roman, James Shaw, Timothy Swift, F. A. Sawyer, Isaac N. Tower, Cornelius Van Ness, John A. Wharton (died December 17th), Geo. W. Wright.

<sup>1</sup>Thomas Green and Thomas J. Green were different persons; the former was the Confederate general of later years.

**Senate, Fourth Congress.**

At Austin, November 11, 1839, to February 5, 1840.

*Officers.*—David G. Burnet, Vice-President of the Republic, President of the Senate; John D. McLeod, Secretary; A. P. Thompson, Assistant Secretary; ——— Grimes, Engrossing and Enrolling Clerk; N. T. Byars, Sergeant-at-Arms; R. D. McAnnelly, Doorkeeper; J. B. Ransom, Reporter; Rev. Amos Roark, Chaplain.

*Members.*—G. W. Barnett, Isaac W. Burton, John Dunn, Richard Ellis, S. H. Everett, John A. Greer, James Gaines, Harvey Kendrick, Anson Jones, Oliver Jones, J. S. Lester, B. Stroud, Francis Moore, Juan Seguin.

**House, Fourth Congress.**

Journal missing—probably never printed, as there is no printed journal of either the Senate or House of this Congress in the Secretary of State's office; only the manuscript journal of the Senate. The manuscript Senate journal states that the House reported itself organized with the following officers: David S. Kaufman, Speaker; Thomas William Ward, Chief Clerk; A. B. McGill, Assistant Chief Clerk; George S. Stratton, Sergeant-at-Arms; ——— Wood, Doorkeeper; ——— Johnston, Engrossing Clerk; S. Z. Hoyle, Enrolling Clerk.

The following names of members are collected from other official records: James Armstrong, Thomas Barnett, Jos. L. Bennet, ——— Benton, Daniel P. Coit, James Cochran, ——— Clifton, Samuel Davis, Edward Fitzgerald, Thomas Green, David Garner, John A. Greer, Wm. W. Gant, Sam Houston, Edward L. Holmes, George W. Hill, John M. Hansford, W. L. Hunter, Wm. H. Jack, David S. Kaufman, Nathaniel C. Lewis, Wm. Lawrence, K. H. Muse, ——— Miller, Wm. Menifee, John S. Menifee, Ben McCulloch, ——— Neibling, Samuel Patton, Isaac Parker, Daniel Rowlett, J. W. Robertson, ——— Shurlock, W. M. Williams, Samuel M. Williams, J. (or S.) Wright, and Cornelius Van Ness. John Henry Brown gives a partial list—sixteen names, all with the exception of two (Collin McKinney and John W. Harris) included in those given above. Brown does not give his authority for the statement that McKinney and Harris were members of this House. It was evidently sufficient to satisfy his mind, and the presumption, in the absence of better evidence, is that they were.

**Senate, Fifth Congress.**

At Austin, November 2, 1840, to February 5, 1841.

*Officers.*—Anson Jones, President Pro Tem. of the Senate; John D. McLeod, Secretary; M. H. Nicholson, Assistant Secretary; C. W. Peterson, Engrossing Clerk; John E. Jones, Enrolling Clerk; N. T. Byars, Sergeant-at-Arms; S. Johnson, Doorkeeper; Rev. C. Richardson, Chaplain. Vice-President Burnet served as President of this Senate from November 2nd until December 13, 1840, after which date he served as President of the Republic until March 5, 1841 (during Lamar's absence). Anson Jones was presiding officer of the Senate from December 13, 1840, until the close of the session.

*Members.*—George W. Barnett, James W. Byrne, Wm. H. Daingerfield, S. H. Everitt, James Gaines, John A. Greer, Anson Jones, Harvey

Kendrick, J. S. Lester, James B. Miller, Francis Moore, K. H. Muse, Robert Potter, B. Stroud.

**House, Fifth Congress.**

*Officers.*—D. S. Kaufman, Speaker; P. W. Humphreys, Chief Clerk; James H. Raymond, Assistant Chief Clerk; Benjamin Hill, Enrolling Clerk; Thomas Green, Engrossing Clerk; I. Ben Taylor, Enrolling Clerk; D. W. C. Vary, Sergeant-at-Arms; K. H. Holliday, Doorkeeper; Rev. John Haynie, Chaplain.

*Members.*—C. C. Arnett, Henry W. Augustin, S. S. Barnett, George Blow, J. S. Bell, John P. Coles, A. S. Ensworth, John Caldwell, Joseph Grigsby, G. W. Hill, L. S. Haigler, S. G. Haynie, G. H. Harrison, Gen. Sam Houston, Edward L. Holmes, T. B. Huling, C. R. Johns, James Kelly, David S. Kaufman, A. H. Latimer, J. W. Lann, Wm. Menifee, Michael B. Menard, John Murchison, James S. Mayfield, W. D. Miller, G. A. Parker, W. N. Porter, Timothy Pillsbury, E. C. Rogers, Moses F. Roberts, ——— Reilly, Henry Smith, James Shaw, Ben Fort Smith, Thos. Thatcher, ——— Thomas, Patrick Usher, Isaac Van Zandt, Cornelius Van Ness, R. M. Williamson, Geo. W. Wright.

**Senate, Sixth Congress.**

At Austin, November 1, 1841, to February 5, 1842.

*Officers.*—Edward Burleson, Vice-President of the Republic, President of the Senate; John A. Greer, President Pro Tem.; A. C. Macfarlane, Secretary; E. S. C. Robertson, Assistant Secretary; Thomas Green, Engrossing Clerk; H. W. Raglin, Enrolling Clerk; Thomas Ward, Sergeant-at-Arms; S. L. Johnson, Doorkeeper.

*Members.*—Class No. 1, whose term of office expired in September, 1843: James W. Byrne, Refugio; George W. Barnett, Washington; Robert Potter, Red River; K. H. Muse, Nacogdoches, and James Gaines, Shelby. Potter died after the close of the regular session, and before the special session, and James Titus was elected for the unexpired term. Gaines resigned after the close of the regular session. No Senator from his district was present at the special session. L. Randall was elected for the unexpired term.

Class No. 2, whose term of office expired in September, 1844: James Webb, Bastrop; Clark L. Owen, Jackson; James Shaw, Milam; W. Martin, Austin, and Timothy Pillsbury, Brazoria. Martin died after the close of the regular session, and before the special session, and Oliver Jones was elected for the unexpired term. Pillsbury resigned at the close of the regular session and before the special session, and Wm. H. Jack was elected for the unexpired term.

Class No. 3, whose terms of office expired in September, 1842: Thos. McFarland, Jasper; Wm. Henry Daingerfield, Bexar; Francis Moore, Jr., Harris and J. A. Greer, San Augustine. Daingerfield resigned shortly before the close of the regular session, and Ludovic Colquhoun was elected for the unexpired term.

**House, Sixth Congress.**

*Officers.*—Kenneth L. Anderson, Speaker; James H. Raymond, Chief Clerk; Thomas Henderson, Assistant Chief Clerk; Samuel R. Miller, Sergeant-at-Arms; Wm. Cockburn, Doorkeeper.

*Members.*—J. H. Kuykendall, Austin; John Caldwell, Bastrop; C. Van Ness and J. D. Morris, Bexar; Wm. N. Potter, Bowie; Tod Robinson and R. M. Forbes, Brazoria; James Head, Brazos; W. Daniels, Colorado; T. F. Smith, Fannin; John W. Dancy, Fayette; Gustavus A. Parker, Fort Bend; John B. Jones, Galveston; Wm. L. Hunter, Goliad; Wm. E. Jones, Gonzales; A. Wynns, Harris; Isaac Van Zandt, Harrison; Isaac Parker, Houston; Patrick Usher, Jackson; R. A. Pennall, Jasper; George A. Patillo, Jefferson; A. J. Fowler, Lamar; Geo. T. Wood, Liberty; Thomas M. Dennis, Matagorda; Willet Holmes, Milam; Jesse Grimes, Montgomery; James S. Mayfield and John Brown, Nacogdoches; A. H. Latimer, Red River; J. W. Bowers, Refugio; Chas. H. Raymond, Robertson; Willis H. Landrum, Sabine; Alanson Ferguson, San Patricio; K. L. Anderson and N. H. Darnell, San Augustine; M. F. Roberts and Wm. M. Hewett, Shelby; Louis P. Cooke, Travis; Thomas F. McConnell, Victoria, and R. M. Williamson, Washington.

Kuykendall resigned during the special session and D. Y. Portis was elected for the unexpired term. Van Ness died after the close of the regular session, and Samuel Luckie was elected to the special session to fill the unexpired term. Willet Holmes resigned during the regular session and F. Niebling was elected for the unexpired term. The election of Ferguson was contested by L. S. Haigler and a new election ordered. S. L. Jones was elected for the unexpired term.<sup>1</sup>

Sixth Congress, Second Session, Called Term, convened at Houston June 27, 1842. The Senate Journal for that day contains the following:

"The Senate met pursuant to the proclamation of His Excellency the President, the Hon. J. A. Greer, President Pro Tem., in the chair. Roll called, and the following Senators answered to their names: Messrs. Jones, of Austin, Colorado, and Fort Bend; and Moore, of Harris and Liberty.

"There not being a quorum present, Mr. Moore moved that the Senate adjourn to meet at 10 o'clock a. m. tomorrow at the Masonic Hall. Carried."

On the 28th Colquhoun, from Bexar; Owen, from Matagorda, Jackson and Victoria, and Shaw, from Robertson and Milam, and Senator Webb were present. At 4 p. m. the Senate adjourned to meet at 9 a. m. the following day at Odd Fellows' Hall.

On the 29th the Senate and House held a joint session to receive a message from President Houston.

Barnett and Byrne appeared and took their seats on this day.

There still being no quorum at the 9 o'clock a. m. session June 29th, the Senate adjourned to the room of Hon. W. H. Jack, for the purpose of thereby securing his presence and obtaining a quorum.

July 5th a resolution was adopted calling on the President to furnish copies of all orders issued, and communications received, by him or the Secretaries of War and Navy relative to the removal of the seat of government and archives.

On the same day the death of Senator Wyly Martin was announced and resolutions in memoriam adopted.

Senator Muse was present June 6th.

On that day Moore, Chairman of the Committee on Privileges and

<sup>1</sup>The above is the only complete list of the members of the Sixth Congress ever printed. It is taken from an official manuscript list found in the papers of said Congress in the office of the Secretary of State.

Elections, reported favorably on the credentials of Messrs. Jones, Jack and Colquhoun.

James Titus, Senator from Red River, appeared, presented his credentials, and was sworn in July 11th.

July 13th a message and accompanying documents sent by the President in response to resolutions requesting information, were referred to a select committee on archives.

On the same day the death of Hon. Robert Potter was announced, and resolutions in memoriam adopted.

Having dispatched the business for which the special session was called, both houses adjourned *sine die* at 4 o'clock p. m. July 23rd.

The same officers served at the special session as at the preceding regular session.

That a session of the Sixth Congress was held at Houston appears in none of the printed journals of that body.

The facts here given are taken from the original manuscript Senate Journal, specially devoted to the Houston session.

The manuscript House Journal could not be found.

The special session is thus treated at some length, for the reason that the matter is new, and fixes happenings and dates of some importance.

#### **Senate, Seventh Congress.**

At Washington, November 14, 1842, to January 16, 1843.

*Officers.*—Edward Burlleson, Vice-President of the Republic, President of the Senate; John A. Greer, President Pro Tem.; Stephen Z. Hoyle, Secretary; Nimrod I. Chappell, Assistant Secretary (resigned and was succeeded by H. H. Collier); M. H. Nicholson, Enrolling Clerk; Thomas Ward, Sergeant-at-Arms; S. R. Miller, Doorkeeper; Rev. Wm. M. Tryon, Chaplain.

*Members.*—George W. Barnett, James W. Byrne, John A. Greer, Oliver Jones, Wm. H. Jack, William Lawrence, K. H. Muse, G. A. Patillo, L. Randall, John Rugely, ——— Smith, James Shaw, ——— Titus, James Webb.

#### **House, Seventh Congress.**

*Officers.*—N. H. Darnell, Speaker; J. H. Raymond, Chief Clerk; Thomas Henderson, Assistant Chief Clerk; B. F. Hill, Engrossing Clerk; James M. Long, Enrolling Clerk; R. B. Wallace, Sergeant-at-Arms; Wm. Cockburn, Doorkeeper.

*Members.*—John Caldwell, Wm. L. Cazeneuve, Wm. M. Crisp, ——— Bowers, Charles Braches, John Dial, James Denison, N. H. Darnell, S. S. B. Fields, Raphael Garza, Jesse Grimes, L. S. Haigler, ——— Halbert, Hiram Hanover, Thos. N. Haynes, Wm. M. Hewett, G. W. Hill, J. C. M. Hodge, Millet Holmes, ——— Hunt, Wm. L. Hunter, Wm. E. Jones, A. M. Lewis, M. W. Matthews, Samuel A. Maverick, Wm. P. Miller, Hugh McLeod, Isaac Parker, Robert Peebles, R. A. Pennall, R. M. Potter, D. Y. Portis, Tod Robinson, Jesse J. Robinson, R. Scurry, Sidney Sherman, ——— Sparks, Jesse Walling, Robt. L. Whyte, R. M. Williamson, Matthias Ward, John Warren.

#### **Senate, Eighth Congress.**

At Washington, December 4, 1843, to February 5, 1844.

*Officers.*—Edward Burlleson, Vice-President of the Republic, President—  
5—Raines.

dent of the Senate; John A. Greer, President Pro Tem.; Thomas Green, Secretary; N. C. Raymond, Assistant Secretary; M. H. Nicholson, Engrossing and Enrolling Clerk; D. W. Pipkin, Sergeant-at-Arms; Lewis Goodwin, Doorkeeper; Rev. Tryon, Chaplain.

*Members.*—Jesse Grimes, John A. Greer, William L. Hunter, Wm. H. Jack, David S. Kaufman, William Lawrence, G. A. Patillo, Isaac Parker, Gustavus A. Parker, John Rugely, James Shaw, ——— Smith, ——— Wright, James Webb, R. M. Williamson.

#### **House, Eighth Congress.**

*Officers.*—Richardson Scurry, Speaker; James H. Raymond, Chief Clerk; T. M. Taylor, Assistant Chief Clerk; Ben. F. Hill, Engrossing Clerk; James M. Long, Enrolling Clerk; Samuel Highsmith, Sergeant-at-Arms; Wm. Cockburn, Doorkeeper; Rev. Hugh Wilson, Chaplain.

*Members.*—J. H. Barnard, Wm. H. Bourland, John Caldwell, Wm. L. Cazeneau, R. M. Collins, Phillip M. Cuney, N. H. Darnell, James Davis, R. C. Doom, L. N. Edwards, G. B. Erath, David Gage, J. H. Grammont, T. J. Green, L. S. Haigler, J. A. Head, J. W. Henderson, J. L. Hogg, James P. B. January, S. L. B. Jasper, J. W. Johnson, James Johnston, W. E. Jones of Gonzales, ——— Jones of Galveston, Harvey Kendrick, John M. Lewis, Elisha Lott, S. A. Maverick, Wm. Means, ——— Montgomery, F. M. Ogden, F. L. Paschal, H. R. Person, A. H. Philips, Andrew Rabb, ——— Rowlett, John Stamps, R. Scurry, James Truitt, M. Ward, Jr.

#### **Senate, Ninth Congress.**

At Washington, December 2, 1844, to June 27, 1845.

*Officers.*—Kenneth L. Anderson, Vice-President of the Republic, President of the Senate; John A. Greer, President Pro Tem.; H. J. Jewett, Secretary; A. W. Luckett, Assistant Secretary; H. W. Raglin, Engrossing and Enrolling Clerk; S. W. Pipkin, Sergeant-at-Arms; James Neely, Doorkeeper; Rev. Orcenith Fisher, Chaplain.

*Members.*—John Caldwell, Jas. K. McCreary, John A. Greer, Jesse Grimes, H. L. Kinney, David S. Kaufman, Henry J. Munson, Timothy Pilsbury, G. A. Patillo, Isaac Parker, Wm. Lawrence, Richard Roman, ——— Smith, ——— Wright.

#### **House, Ninth Congress.**

*Officers.*—J. M. Lewis, Speaker; James H. Raymond, Chief Clerk; John M. Swisher, Assistant Chief Clerk; Ben. F. Hill, Engrossing Clerk; M. H. Chevalier, Enrolling Clerk; J. M. Alexander, Sergeant-at-Arms; Francis Hughes, Doorkeeper; Rev. John Haynie, Chaplain.

*Members.*—Jesse Armstrong, Wm. H. Bourland, W. G. Cooke of Bexar, W. K. Cooke of Robertson, A. S. Cunningham, John Dunn, G. B. Erath, John S. Ford, David Gage, Benj. Hardin, J. W. Henderson, S. L. B. Jasper, S. B. Johns, J. W. Johnson, M. T. Johnson, A. H. Jones of Gonzales, S. L. Jones of San Patricio, John M. Lewis, S. K. Lewis, E. Mabry, Wm. Means, Wm. Meniffee, E. M. Millican, J. H. Moffett, D. McFarland, Hugh McLeod, D. C. Ogden, G. A. Parker, S. W. Perkins, Tod Robinson, Wm. T. Sadler, Wm. T. Scott, Wm. R. Scurry, ——— Smith, Geo. Sutherland, G. W. Smyth, James Truitt, B. Rush Wallace, A. Williams, R. M. Williamson.

# CONGRESS, UNITED STATES AND CONFEDERATE, MEMBERS OF, FROM TEXAS.

## SENATE.

	Elected.	Remarks.
Sam Houston.....	Feb. 21, 1846	Drew the short term.
Thomas J. Rusk.....	Feb. 21, 1846	
Sam Houston.....	Dec. 15, 1847	
Thomas J. Rusk.....	Aug. 26, 1850	
Sam Houston.....	Jan. 15, 1851	
Thomas J. Rusk.....	Nov. 15, 1855	Died July 29, 1857. To succeed Rusk. Henderson was elected for a term of six years, beginning March 4, 1857, but died in Washington, D. C., June 4, 1858.
J. Pinckney Henderson.....	Nov. 9, 1857	
John Hemphill.....	Nov. 9, 1857	To succeed Houston. Hemphill was elected for the term beginning March 4, 1859, and ending March 3, 1865, and served until Texas seceded from the Union.
Matt Ward (appointed).....	Sept. 29, 1858	To fill vacancy caused by Henderson's death until the meeting of the legislature.
Louis T. Wigfall.....	Dec. 5, 1859	To succeed Henderson.
<b>Confederate Senate.</b>		
		Elected.
Louis T. Wigfall.....		Nov. 16, 1861
W. S. Oldham.....		Nov. 16, 1861
David G. Burnet.....	Aug. 21, 1866	Not allowed to take his seat.
Oran M. Roberts.....	Aug. 21, 1866	Not allowed to take his seat.
Morgan C. Hamilton.....	Feb. 22, 1870	For term expiring March 3, 1871.
Morgan C. Hamilton.....	Feb. 22, 1870	For term expiring March 3, 1877.
J. W. Flanagan.....	Feb. 22, 1870	For term expiring March 3, 1875.
		The Twelfth Legislature declared Hamilton's seat vacant, and June 4, 1871, elected General J. J. Reynolds to the alleged vacancy. The Federal administration gave Reynolds no support in the matter, and he made no effort to take his seat in the Senate. Hamilton was formally recognized as the rightful incumbent. He was outspoken and bitter in his denunciation of the corruption of the legislature—hence its futile attempt to oust him.
S. B. Maxey.....	Jan. 23, 1874	For term ending March 3, 1881.
Richard Coke.....	May 5, 1876	For term ending March 3, 1883.
S. B. Maxey.....	Jan. 25, 1881	For term ending March 3, 1887.
Richard Coke.....	Jan. 23, 1883	For term ending March 3, 1889.
John H. Reagan.....	Feb. 1, 1887	For term ending March 3, 1893.
		Reagan resigned April 4, 1891, to accept a position on the newly created Texas Railroad Commission.
Richard Coke.....	Jan. 23, 1889	For term ending March 3, 1895.
Horace Chilton (appointed).....	Apr. 25, 1891	Vice Reagan, to serve until the meeting of the legislature.
R. Q. Mills.....	Mar. 23, 1892	To fill Reagan's unexpired term.
R. Q. Mills.....	Jan. 25, 1893	For term ending March 3, 1899.
Horace Chilton.....	Jan. 23, 1895	For term ending March 3, 1901.
C. A. Culberson.....	Jan. 25, 1899	For term ending March 3, 1905.
J. W. Bailey.....	Jan. 22, 1901	For term ending March 3, 1907.

## HOUSE.

	Dist.	Elected.	Remarks.
David S. Kaufman.....	1	Mar. 30, 1846	<sup>1</sup>
Timothy Pillsbury.....	2	Mar. 30, 1846	
David S. Kaufman.....	1	Nov. 2, 1846	
Timothy Pillsbury.....	2	Nov. 2, 1846	
David S. Kaufman.....	1	Aug. 6, 1849	Died January 18, 1851.
Volney E. Howard.....	2	Aug. 6, 1849	
Richardson Scurry.....	1	Aug. 4, 1851	To succeed Kaufman.
Volney E. Howard.....	2	Aug. 4, 1851	
George W. Smyth.....	1	Aug. 1, 1853	
P. H. Bell.....	2	Aug. 1, 1853	
L. D. Evans.....	1	Aug. 6, 1855	
P. H. Bell.....	2	Aug. 6, 1855	
J. H. Reagan.....	1	Aug. 3, 1857	
Guy M. Bryan.....	2	Aug. 3, 1857	
J. H. Reagan.....	1	Aug. 1, 1859	
A. J. Hamilton.....	2	Aug. 1, 1859	
<b>Confederate States.</b>			
		Names.	Dist. Elected.
		John A. Wilcox.....	1 Nov. 6, 1861
		C. C. Herbert.....	2 Nov. 6, 1861
		Peter W. Gray.....	3 Nov. 6, 1861
		F. B. Sexton.....	4 Nov. 6, 1861
		M. D. Graham.....	5 Nov. 6, 1861
		W. B. Wright.....	6 Nov. 6, 1861
		John A. Wilcox <sup>1</sup> .....	1 Aug. 3, 1863
		C. C. Herbert.....	2 Aug. 3, 1863
		A. M. Branch.....	3 Aug. 3, 1863
		F. B. Sexton.....	4 Aug. 3, 1863
		John R. Baylor.....	5 Aug. 3, 1863
		S. H. Morgan.....	6 Aug. 3, 1863
<sup>1</sup> Wilcox died and was succeeded in 1864 by Stephen H. Darden. No further change occurred in the delegation. The following represented Texas in the Provisional Congress at Montgomery: Louis T. Wigfall, John Hemphill, Wm. B. Ochiltree, W. S. Oldham, T. N. Waul, John Gregg, and John H. Reagan.			
Geo. W. Chilton.....	1	Oct. 15, 1866	To the Thirty-ninth Congress. Not allowed to take his seat.
B. H. Epperson.....	2	Oct. 15, 1866	To the Thirty-ninth Congress. Not allowed to take his seat.
A. M. Branch.....	3	Oct. 15, 1866	To the Thirty-ninth Congress. Not allowed to take his seat.
C. C. Herbert.....	4	Oct. 15, 1866	To the Thirty-ninth Congress. Not allowed to take his seat.
James M. Burroughs.....	1	Oct. 15, 1866	To the Fortieth Congress. Not allowed to take his seat.
B. H. Epperson.....	2	Oct. 15, 1866	To the Fortieth Congress. Not allowed to take his seat.
A. M. Branch.....	3	Oct. 15, 1866	To the Fortieth Congress. Not allowed to take his seat.
C. C. Herbert.....	4	Oct. 15, 1866	To the Fortieth Congress. Not allowed to take his seat.

<sup>1</sup>Under an act of the Legislature approved February 28, 1846, the first election for Congressmen was held March 30, 1846.

A supplementary act, approved May 11, 1846, provided for an election for Congressmen on the first Monday in November, 1846, and every second year thereafter. Accordingly an election was held November 2, 1846.

This law was superseded by an act approved March 20, 1848, which provided that an election for Congressmen should be held the first Monday in August, 1849, and every second year thereafter—which was done up to 1861.

Texas was divided into two Congressional districts by the act of February 28, 1846, the first consisting of Fannin, Lamar, Red River, Bowie, Harrison, Shelby, Jefferson, Jasper, Rusk, Sabine, San Augustine, Liberty, Houston and Nacogdoches counties, and the second of Robertson, Brazos, Montgomery, Harris, Galveston, Brazoria, Fort Bend, Matagorda, Jackson, Victoria, Austin, Colorado, Fayette, Gonzales, Travis, Bastrop, Washington, Bexar, Goliad, Refugio, San Patricio and Milam counties. While some changes were made in their composition the number of districts remained unaltered until secession.



## HOUSE—continued.

	Dist.	Elected.	Remarks.
G. W. Whitmore.....	1	Dec. 3, 1869	To unexpired term of the Fortieth Congress.
W. T. Clark.....	2	Dec. 3, 1869	To unexpired term of the Fortieth Congress.
E. Degener.....	4	Dec. 3, 1869	To unexpired term of the Fortieth Congress.
G. W. Whitmore.....	1	Dec. 3, 1869	
John C. Conner.....	2	Dec. 3, 1869	
W. T. Clark.....	3	Dec. 3, 1869	
E. Degener.....	4	Dec. 3, 1869	
A. H. Willie.....	...	Nov. 8, 1872	For the State at large.
R. Q. Mills.....	...	Nov. 8, 1872	For the State at large.
W. S. Herndon.....	1	Nov. 8, 1872	
W. P. McLean.....	2	Nov. 8, 1872	
D. C. Giddings.....	3	Nov. 8, 1872	
John Hancock.....	4	Nov. 8, 1872	
John H. Reagan.....	1	Nov. 3, 1874	
D. B. Culberson.....	2	Nov. 3, 1874	
J. W. Throckmorton.....	3	Nov. 3, 1874	
R. Q. Mills.....	4	Nov. 3, 1874	
John Hancock.....	5	Nov. 3, 1874	
Gustave Schleicher.....	6	Nov. 3, 1874	
John H. Reagan.....	1	Nov. 7, 1876	
D. B. Culberson.....	2	Nov. 7, 1876	
J. W. Throckmorton.....	3	Nov. 7, 1876	
R. Q. Mills.....	4	Nov. 7, 1876	
D. C. Giddings.....	5	Nov. 7, 1876	
Gustave Schleicher.....	6	Nov. 7, 1876	
John H. Reagan.....	1	Nov. 5, 1878	
D. B. Culberson.....	2	Nov. 5, 1878	
Olin Wellborn.....	3	Nov. 5, 1878	
R. Q. Mills.....	4	Nov. 5, 1878	
Geo. W. Jones.....	5	Nov. 5, 1878	
Gustave Schleicher.....	6	Nov. 5, 1878	Died January 11, 1879.
Columbus Upson.....	6	Apr. 15, 1879	To succeed Schleicher.
John H. Reagan.....	1	Nov. 2, 1880	
D. B. Culberson.....	2	Nov. 2, 1880	
Olin Wellborn.....	3	Nov. 2, 1880	
R. Q. Mills.....	4	Nov. 2, 1880	
Geo. W. Jones.....	5	Nov. 2, 1880	
Columbus Upson.....	6	Nov. 2, 1880	
Charles Stewart.....	1	Nov. 7, 1882	
John H. Reagan.....	2	Nov. 7, 1882	
James H. Jones.....	3	Nov. 7, 1882	
D. B. Culberson.....	4	Nov. 7, 1882	
J. W. Throckmorton.....	5	Nov. 7, 1882	
Olin Wellborn.....	6	Nov. 7, 1882	
Thos. P. Ochiltree.....	7	Nov. 7, 1882	
J. F. Miller.....	8	Nov. 7, 1882	
R. Q. Mills.....	9	Nov. 7, 1882	
John Hancock.....	10	Nov. 7, 1882	
S. W. T. Lanham.....	11	Nov. 7, 1882	
Charles Stewart.....	1	Nov. 7, 1884	
John H. Reagan.....	2	Nov. 7, 1884	
James H. Jones.....	3	Nov. 7, 1884	
D. B. Culberson.....	4	Nov. 7, 1884	
J. W. Throckmorton.....	5	Nov. 7, 1884	
Olin Wellborn.....	6	Nov. 7, 1884	
W. H. Crain.....	7	Nov. 7, 1884	
J. F. Miller.....	8	Nov. 7, 1884	
R. Q. Mills.....	9	Nov. 7, 1884	
J. D. Sayers.....	10	Nov. 7, 1884	
S. W. T. Lanham.....	11	Nov. 7, 1884	
Charles Stewart.....	1	Nov. 2, 1886	
John H. Reagan.....	2	Nov. 2, 1886	
C. B. Kilgore.....	3	Nov. 2, 1886	
D. B. Culberson.....	4	Nov. 2, 1886	
Silas Hare.....	5	Nov. 2, 1886	
Joe Abbott.....	6	Nov. 2, 1886	
W. H. Crain.....	7	Nov. 2, 1886	
L. W. Moore.....	8	Nov. 2, 1886	
R. Q. Mills.....	9	Nov. 2, 1886	
J. D. Sayers.....	10	Nov. 2, 1886	
S. W. T. Lanham.....	11	Nov. 2, 1886	
W. H. Martin.....	2	Apr. 4, 1887	To succeed Reagan, elected to U. S. Senate.
Charles Stewart.....	1	Nov. 6, 1888	
W. H. Martin.....	2	Nov. 6, 1888	
C. B. Kilgore.....	3	Nov. 6, 1888	
D. B. Culberson.....	4	Nov. 6, 1888	
Silas Hare.....	5	Nov. 6, 1888	
Jo Abbott.....	6	Nov. 6, 1888	
Wm. H. Crain.....	7	Nov. 6, 1888	
L. W. Moore.....	8	Nov. 6, 1888	
R. Q. Mills.....	9	Nov. 6, 1888	
J. D. Sayers.....	10	Nov. 6, 1888	
S. W. T. Lanham.....	11	Nov. 6, 1888	

## HOUSE—continued.

	Dist.	Elected.	Remarks.
Charles Stewart.....	1	Nov. 4, 1890	
J. B. Long.....	2	Nov. 4, 1890	
C. B. Kilgore.....	3	Nov. 4, 1890	
D. B. Culberson.....	4	Nov. 4, 1890	
J. W. Bailey.....	5	Nov. 4, 1890	
Jo Abbott.....	6	Nov. 4, 1890	
W. H. Crain.....	7	Nov. 4, 1890	
L. W. Moore.....	8	Nov. 4, 1890	
E. Q. Mills.....	9	Nov. 4, 1890	Resigned March 23, 1892, to take effect April 1, 1892.
J. D. Sayers.....	10	Nov. 4, 1890	
S. W. T. Lanham.....	11	Nov. 4, 1890	
E. L. Antony.....	9	June 14, 1892	Vice R. Q. Mills, elected to U. S. Senate.
J. C. Hutcheson.....	1	Nov. 8, 1892	
S. B. Cooper.....	2	Nov. 8, 1892	
C. B. Kilgore.....	3	Nov. 8, 1892	
D. B. Culberson.....	4	Nov. 8, 1892	
J. W. Bailey.....	5	Nov. 8, 1892	
Jo Abbott.....	6	Nov. 8, 1892	
Geo. C. Pendleton.....	7	Nov. 8, 1892	
C. K. Bell.....	8	Nov. 8, 1892	
J. D. Sayers.....	9	Nov. 8, 1892	
Walter Gresham.....	10	Nov. 8, 1892	
W. H. Crain.....	11	Nov. 8, 1892	
Thos. M. Paschal.....	12	Nov. 8, 1892	
J. V. Cockrell.....	13	Nov. 8, 1892	
J. C. Hutcheson.....	1	Nov. 6, 1894	
S. B. Cooper.....	2	Nov. 6, 1894	
C. H. Yoakum.....	3	Nov. 6, 1894	
D. B. Culberson.....	4	Nov. 6, 1894	
J. W. Bailey.....	5	Nov. 6, 1894	
Jo Abbott.....	6	Nov. 6, 1894	
Geo. C. Pendleton.....	7	Nov. 6, 1894	
C. K. Bell.....	8	Nov. 6, 1894	
J. D. Sayers.....	9	Nov. 6, 1894	
Miles Crowley.....	10	Nov. 6, 1894	
W. H. Crain.....	11	Nov. 6, 1894	Died February 10, 1896.
Geo. H. Noonan.....	12	Nov. 6, 1894	
J. V. Cockrell.....	13	Nov. 6, 1894	
Rudolph Kleberg.....	11		Elected summer of 1896 to succeed Crain.
T. H. Ball.....	1	Nov. 3, 1896	
S. B. Cooper.....	2	Nov. 3, 1896	
R. C. DeGraffenreid.....	3	Nov. 3, 1896	
J. W. Cranford.....	4	Nov. 3, 1896	Died.
J. W. Bailey.....	5	Nov. 3, 1896	
R. E. Burke.....	6	Nov. 3, 1896	
E. L. Henry.....	7	Nov. 3, 1896	
S. W. T. Lanham.....	8	Nov. 3, 1896	
J. D. Sayers.....	9	Nov. 3, 1896	Resigned to take effect January 16, 1899, the date of his inauguration as Governor.
R. B. Hawley.....	10	Nov. 3, 1896	
Rudolph Kleberg.....	11	Nov. 3, 1896	Elected, first, April 7, 1896, to serve out the unexpired term of W. H. Crain.
J. L. Slayden.....	12	Nov. 3, 1896	
John H. Stephens.....	13	Nov. 3, 1896	
Thos. H. Ball.....	1	Nov. 8, 1898	
S. B. Cooper.....	2	Nov. 8, 1898	
R. C. DeGraffenreid.....	3	Nov. 8, 1898	
Jno. L. Sheppard.....	4	Nov. 8, 1898	
J. W. Bailey.....	5	Nov. 8, 1898	
R. E. Burke.....	6	Nov. 8, 1898	
E. L. Henry.....	7	Nov. 8, 1898	
S. W. T. Lanham.....	8	Nov. 8, 1898	
A. S. Burleson.....	9	Nov. 8, 1898	
R. B. Hawley.....	10	Nov. 8, 1898	
Rudolph Kleberg.....	11	Nov. 8, 1898	
James L. Slayden.....	12	Nov. 8, 1898	
Jno. H. Stephens.....	13	Nov. 8, 1898	
Thos. H. Ball.....	1	Nov. 6, 1900	
S. B. Cooper.....	2	Nov. 6, 1900	
R. C. DeGraffenreid.....	3	Nov. 6, 1900	
Jno. L. Sheppard.....	4	Nov. 6, 1900	
C. B. Randall.....	5	Nov. 6, 1900	
R. E. Burke.....	6	Nov. 6, 1900	Burke died June 5, 1901, and Dudley G. Wooten was elected his successor, July 13, 1901.
R. L. Henry.....	7	Nov. 6, 1900	
S. W. T. Lanham.....	8	Nov. 6, 1900	
A. S. Burleson.....	9	Nov. 6, 1900	
Geo. F. Burgess.....	10	Nov. 6, 1900	
Rudolph Kleberg.....	11	Nov. 6, 1900	
J. L. Slayden.....	12	Nov. 6, 1900	
H. Stephens.....	13	Nov. 6, 1900	

## CONGRESSIONAL DISTRICTS OF TEXAS.

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In accordance with the Twelfth Census, the Twenty-seventh Legislature passed an act, approved September 6, 1901, creating the following Congressional Districts, three more than under the Eleventh Census:

1st. Bowie, Red River, Lamar, Delta, Hopkins, Franklin, Titus, Camp, Morris, Cass, and Marion.

2nd. Jefferson, Orange, Hardin, Tyler, Jasper, Newton, Sabine, San Augustine, Angelina, Cherokee, Nacogdoches, Shelby, Panola, and Harrison.

3rd. Wood, Upshur, Gregg, Rusk, Smith, Henderson, Van Zandt, and Kaufman.

4th. Grayson, Collin, Fannin, Hunt, and Rains.

5th. Dallas, Rockwall, Ellis, Hill, and Bosque.

6th. Navarro, Freestone, Limestone, Robertson, Brazos, and Milam.

7th. Anderson, Houston, Trinity, Polk, San Jacinto, Liberty, Chambers, and Galveston.

8th. Harris, Fort Bend, Austin, Waller, Montgomery, Grimes, Walker, Madison, and Leon.

9th. Gonzales, Fayette, Colorado, Wharton, Matagorda, Brazoria, Jackson, Lavaca, DeWitt, Victoria, Calhoun, Aransas, Refugio, Bee, Goliad, and Karnes.

10th. Williamson, Travis, Hays, Caldwell, Bastrop, Lee, Burleson, and Washington.

11th. McLennan, Falls, Bell, Coryell, and Hamilton.

12th. Tarrant, Parker, Johnson, Hood, Somervell, Erath, and Comanche.

13th. Cooke, Denton, Wise, Montague, Clay, Jack, Young, Archer, Wichita, Wilbarger, Baylor, Throckmorton, Knox, Foard, Hardeman, Cottle, Motley, Dickens, Floyd, Hale, Lamb, Bailey, Childress, Hall, Briscoe, Swisher, Castro, Parmer, Deaf Smith, Randall, Armstrong, Donley, Collingsworth, Wheeler, Gray, Carson, Potter, Oldham, Hartley, Moore, Hutchinson, Roberts, Hemphill, Lipscomb, Ochiltree, Hansford, Sherman, and Dallam.

14th. Bexar, Comal, Kendall, Bandera, Kerr, Gillespie, Blanco, Burnet, Llano, Mason, McCulloch, San Saba, Lampasas, Mills, Brown, and Coleman.

15th. Cameron, Hidalgo, Starr, Zapata, Webb, Duval, Nueces, San Patricio, Live Oak, Atascosa, Wilson, Guadalupe, McMullen, La Salle, Dimmit, Maverick, Zavala, Frio, Medina, Uvalde, Kinney, and Val Verde.

16th. El Paso, Jeff Davis, Presidio, Brewster, Pecos, Crockett, Schleicher, Sutton, Edwards, Kimble, Menard, Concho, Tom Green, Irion, Upton, Crane, Ward, Reeves, Loving, Winkler, Ector, Midland, Glasscock, Sterling, Coke, Runnels, Eastland, Callahan, Taylor, Nolan, Mitchell, Howard, Martin, Andrews, Gaines, Dawson, Borden, Scurry, Fisher, Jones, Shackelford, Stephens, Palo Pinto, Haskell, Stonewall, King, Kent, Garza, Crosby, Lubbock, Lynn, Terry, Yoakum, Cochran, and Hockley.

## OSCAR H. COOPER, LL. D.

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Oscar H. Cooper, LL. D., Waco, President of Baylor University, was born near Carthage, Panola county, Texas, November 22, 1849. His father, Dr. Wm. H. Cooper, a Mississippian by birth, moved to Texas from Mississippi in 1849, and was distinguished throughout the eastern portion of the State as a physician and man of letters.

Gen. T. S. Rosser, of Virginia, who was educated at West Point as a Texas student, is an uncle of Mr. Cooper.

The first instruction received by Mr. Cooper was from private tutors, chosen by his father for their capacity and moral worth. He was a student at Marshall University, Marshall, Texas, in 1865-67, and then entered Yale College, from which he graduated in 1872 and where he was subsequently a tutor for three years. At a later period he completed a course at the University of Berlin, Germany, and, then, after a tour through Europe, returned to Texas, where he was successively President of the Male and Female College, at Henderson, and Principal of the Sam Houston Normal Institute, at Huntsville, and Houston High School, at Houston.

While filling the position last named, he was nominated by the Democratic State Convention for State Superintendent of Public Instruction, and November 2, 1886, elected to that responsible office. In 1888 he was renominated and re-elected to the office for a term of two years, before the expiration of which he accepted the position of Superintendent of the public schools of the city of Galveston. Later he was in charge of a private educational institution until August, 1899, when he was elected President of Baylor University.

He was married at Marshall, Texas, November 24, 1886, to Miss Mary B. Stewart, granddaughter of the late Dr. James H. Starr, of that city.

Mr. Cooper was instrumental in the passage of the bill that resulted in the opening of the University of Texas, and was also a principal factor in the establishment of the Sam Houston Normal Institute.

He is joint author, with Profs. Harry F. Estill and Leonard Lemmon, of a history of the United States, entitled "History of Our Country," that is a standard authority and has been in general use in the public schools of Texas since its publication, having been adopted by the State Text-Book Board. He is, besides, author of many literary productions (articles, monographs, etc.) of exceptional merit, and is, also, a lecturer and general speaker of talent, learning, and force.

His labors in the cause of education have extended over many years, and, if his character as one whose life-work has resulted in large benefits to the people among whom his lot has been cast rested upon no other foundation, it would be securely grounded, in this particular, in the history of the State.<sup>1</sup>

<sup>1</sup>Since the above was written, Dr. Cooper has resigned the Presidency of Baylor and Prof. S. P. Brooks has been elected to succeed him at the close of the session.

## COTTON—INTERESTING FACTS ABOUT AND IN CONNECTION WITH.

Census Bulletin No. 98, issued September 28, 1901, contains the following. (It will be noted that the figures given for the 1899 cotton crop are larger than those stated by the Department of Agriculture Year Book, published at an earlier date):

### COMPARATIVE SUMMARY OF THE QUANTITY OF COTTON GINNED FROM THE CROPS OF 1900 AND 1899, BY EACH STATE AND TERRITORY.

States and Territories.	Commercial bales (1900 crop).	Equivalent 500-pound bales (1900 crop).	Commercial bales (1899 crop).	Equivalent 500-pound bales (1899 crop).
The United States.....	10,486,148	10,123,027	9,645,974	9,345,391
Alabama.....	1,061,678	1,023,802	1,103,690	1,078,519
Arkansas.....	828,820	812,984	719,453	705,583
Florida.....	55,696	48,616	56,821	49,359
Georgia.....	1,270,597	1,203,308	1,296,844	1,231,060
Indian Territory.....	238,114	249,935	160,324	143,608
Kansas.....	151	151	121	121
Kentucky.....	133	133	84	79
Louisiana.....	714,073	705,767	708,508	700,352
Mississippi.....	1,055,968	1,046,700	1,264,048	1,237,666
Missouri.....	27,980	27,871	19,377	20,275
North Carolina.....	509,341	477,269	473,155	440,400
Oklahoma.....	116,875	106,707	84,035	71,983
South Carolina.....	780,782	748,726	876,545	837,105
Tennessee*.....	227,601	221,619	215,175	211,641
Texas.....	3,536,506	3,438,386	2,658,555	2,609,018
Utah.....		31		
Virginia.....	11,833	11,022	9,239	8,622

\*Equivalent 500-pound bales (1900 crop) includes 10,000 pounds not baled.

"As shown by this table, the cotton crop of 1900 exceeded that of 1899 by 840,174 commercial bales, equivalent to 777,636 bales of a 500-pound standard. This is an increase of 8.3 per cent. East of the Mississippi river, production decreased. Although the crop of 1899—5,094,451 bales—was generally regarded as short, that of 1900 was but 4,781,195, a decrease of 313,256. This loss was more than offset by the gains made in the region lying west and southwest of the Mississippi. Here the yield was 5,341,832 in 1900 as against 4,250,940 in 1899, an increase of 1,090,892 bales, or 25.7 per cent.

"Texas is the ever-increasing marvel of the cotton belt. In 1899 the crop was 2,609,019 bales (500-pound standard); that of 1900 was 3,438,386 bales, an increase of 829,368 bales. This increase is the more noteworthy when the great disaster resulting from the storm of September, 1900, is taken into consideration. In the thirty-one counties lying in the wake of this storm the production fell off from 491,236 bales in 1899, to 273,866 bales in 1900—a loss of 217,370 bales compared with the evidently short crop of 1899. It thus appears that in the remaining coun-

ties of Texas the actual increase was 1,046,738 bales. In 1900 Texas produced thirty-four per cent., or more than one-third, of the entire American cotton crop, and about one-fourth of all the cotton grown in the world.

"\* \* \* The total number of establishments reported as handling sea-island cotton exclusively, or upland and sea-island cotton simultaneously, is 531, and is distributed as follows: Florida, 116; Georgia, 351; and South Carolina, 64. The size of the ginning establishments in Texas and the Territories, as compared with that of other States, is noteworthy. For example, the average capacity of establishments in Texas was 809 bales; in Indian Territory, 957 bales; and in Oklahoma, 853 bales; while in North Carolina and Georgia it was 192 and 272 bales, respectively. The scarcity of labor in Texas and the Territories has had an important bearing on the introduction into those sections of modern systems of handling seed cotton. With 4,370 active ginneries, or fifteen per cent. of the number reported for the United States, Texas has handled thirty-four per cent. of the entire American crop of 1900, while Georgia, with 4,670 establishments, or sixteen per cent. of the entire number in the United States, handled only 11.9 per cent. of the crop."

The following is from "Cotton Facts,"<sup>1</sup> published by Alfred B. Shepperson, author of the "Standard Telegraphic Cypher Code for the Cotton Trade":

**COTTON GINNED IN TEXAS IN 1900-1901 AND 1899-1900.**

**According to Reports of United States Census Bureau.**

COUNTY.	1900-01. (Bales.)	1899-1900. (Bales.)	COUNTY.	1900-01. (Bales.)	1899-1900. (Bales.)
Anderson .....	19,784	16,828	Collin.....	70,963	49,077
Angellina .....	4,519	3,838	Colorado.....	8,759	30,923
Archer .....	100	141	Comal .....	20,854	11,997
Aransas .....	1,078	3,999	Comanche .....	47,777	23,797
Atascosa .....	9,251	3,999	Concho.....	173	42
Austin .....	10,073	31,744	Cooke.....	18,751	11,905
Bandera .....	3,462	1,206	Coryell.....	30,888	20,702
Bastrop .....	35,054	40,261	Cottle.....	710	173
Baylor.....	1,857	466	Dallas .....	59,970	41,012
Bee.....	12,847	4,784	Delta.....	36,358	24,705
Bell.....	66,276	55,754	Denton.....	39,092	20,381
Bexar.....	27,846	8,886	DeWitt.....	29,058	23,440
Blanco.....	6,860	3,951	Duval.....	1,708	853
Bosque.....	23,992	11,736	Eastland.....	38,164	15,611
Bowie.....	21,347	16,826	Edwards.....	94	4
Brazoria.....	1,314	6,888	Ellis.....	126,134	86,639
Brazos.....	18,473	22,069	Eratb.....	44,097	21,211
Brown.....	28,273	12,619	Falls.....	61,450	48,416
Burleson.....	16,690	25,194	Fannin.....	101,027	59,802
Burnet.....	16,518	7,788	Fayette.....	40,832	73,238
Calhoun.....	44,306	47,473	Fisher.....	3,364	745
Caldwell.....	493	1,477	Foard.....	1,542	408
Callahan.....	11,980	7,716	Fort Bend.....	3,099	8,256
Camp.....	13,266	7,607	Franklin.....	10,820	8,659
Cass.....	21,409	15,343	Freestone.....	29,130	20,138
Cherokee.....	20,516	15,300	Frio.....	7,917	2,590
Childress.....	1,380	255	Galveston.....	356	761
Clay.....	7,761	3,346	Gillespie.....	12,956	6,383
Coke.....	4,820	1,345	Gollad.....	11,513	7,435
Coleman.....	19,371	8,089	Gonzales.....	38,507	44,131

<sup>1</sup>For a copy of this book and much other valuable matter relating to cotton (embodied in this article with facts procured from other sources), the YEAR BOOK is indebted to S. O. Young, the courteous and efficient Secretary of the Galveston Cotton Exchange and Board of Trade.

## COTTON GINNED IN TEXAS IN 1900-1901 AND 1899-1900—continued.

According to Reports of United States Census Bureau.

COUNTY.	1900-01. (Bales.)	1899-1900. (Bales.)	COUNTY.	1900-01. (Bales.)	1899-1900. (Bales.)
Grayson.....	63,430	40,871	Navarro.....	88,013	65,478
Gregg.....	7,810	6,194	Newton.....	1,503	1,319
Grimes.....	11,981	26,541	Nolan.....	2,467	1,324
Guadalupe.....	56,633	28,114	Nueces.....	1,952	503
Hall.....	717	113	Orange.....	9	36
Hamilton.....	27,956	15,070	Palo Pinto.....	11,514	4,928
Hardeman.....	3,848	1,335	Panola.....	17,823	13,927
Hardin.....	149	83	Parker.....	36,672	17,433
Harris.....	2,118	5,859	Pecos.....	168	73
Harrison.....	28,351	19,663	Polk.....	7,142	8,455
Haskell.....	2,510	830	Rains.....	5,907	5,575
Hays.....	31,652	23,737	Red River.....	47,870	28,584
Hemphill.....	8	40	Reeves.....	8	8
Henderson.....	22,131	16,093	Refugio.....	410	402
Hidalgo.....	285		Robertson.....	30,849	32,394
Hill.....	85,660	59,070	Rockwall.....	22,202	12,053
Hood.....	17,244	7,941	Runnels.....	9,993	3,099
Hopkins.....	49,248	24,710	Rusk.....	25,038	21,291
Houston.....	27,254	24,154	Sabine.....	5,788	4,262
Howard.....	300	5	San Augustine.....	7,626	6,187
Hunt.....	83,752	50,317	San Jacinto.....	6,749	8,826
Jack.....	6,902	3,172	San Patricio.....	2,619	835
Jackson.....	1,267	3,325	San Saba.....	8,658	3,320
Jasper.....	2,412	1,822	Scurry.....	4,934	936
Johnson.....	42,790	26,834	Shackelford.....	1,788	807
Jones.....	7,495	4,401	Shelby.....	18,210	14,606
Karnes.....	22,926	12,515	Smith.....	42,549	26,888
Kaufman.....	79,171	53,429	Somervell.....	4,776	1,411
Kendall.....	3,994	1,778	Stephens.....	5,870	3,875
Kent.....	105	189	Stonewall.....	1,633	700
Kerr.....	1,270	789	Tarrant.....	30,868	16,190
Kimble.....	1,067	634	Taylor.....	19,368	6,520
Knox.....	2,601	341	Throckmorton.....	658	352
Lamar.....	89,415	49,193	Titus.....	15,867	10,720
Lampasas.....	8,166	4,562	Tom Green.....	329	85
Lavaca.....	28,058	42,484	Travis.....	71,899	60,078
Lee.....	10,963	21,486	Trinity.....	8,092	6,812
Leon.....	21,925	21,778	Tyler.....	4,059	4,581
Liberty.....	2,179	3,376	Upshur.....	21,396	13,431
Limestone.....	62,232	49,790	Uvalde.....	1,860	528
Live Oak.....	2,413	424	Van Zandt.....	37,787	26,428
Llano.....	4,283	2,524	Victoria.....	5,547	11,956
McCulloch.....	6,674	3,104	Walker.....	6,823	9,714
McLennan.....	86,447	65,964	Waller.....	2,306	9,191
Madison.....	8,418	11,896	Ward.....	2,713	928
Marion.....	6,043	3,880	Washington.....	23,405	48,791
Mason.....	7,143	4,257	Wharton.....	3,563	27,383
Matagorda.....	537	5,375	Wichita.....		313
Medina.....	12,959	4,195	Wilbarger.....	1,966	1,475
Menard.....	1,934	689	Williamson.....	104,761	89,237
Millam.....	55,869	67,753	Wilson.....	26,554	8,522
Mills.....	8,819	4,879	Wise.....	38,315	17,556
Mitchell.....	2,710	916	Wood.....	25,367	15,992
Montague.....	34,488	15,064	Young.....	7,140	3,031
Montgomery.....	4,059	10,272			
Morris.....	16,095	9,345			
Nacogdoches.....	21,996	19,041			
			Total.....	3,438,386	2,609,018

"Receipts at the port of Galveston, season of 1900-1901, 2,178,000 bales; at New Orleans, 2,456,000 bales.

## ACREAGE.

States.	Season of 1899-1900.		Season of 1900-1901.		Season of 1901-1902.
	Number of acres indicated by department's report of June 10, 1899.	Number of acres according to revised report by the department issued Dec. 11, 1899.	Number of acres indicated by department's report of June 10, 1900.	Number of acres according to revised report by the department issued Dec. 10, 1900.	Number of acres according to report by the department issued June, 1901.
North Carolina.....	1,078,027	1,220,000	1,342,000	1,342,000	1,476,000
South Carolina.....	1,775,152	2,212,000	2,306,540	2,367,000	2,533,000
Georgia.....	2,992,895	3,288,000	3,551,040	3,551,000	3,870,000
Florida.....	221,252	149,000	168,370	169,000	185,000
Alabama.....	2,419,006	2,883,000	3,004,810	2,998,000	3,362,000
Mississippi.....	2,614,117	2,784,000	3,002,400	2,966,000	3,124,000
Louisiana.....	1,042,400	1,179,000	1,255,110	1,255,000	1,401,000
Texas.....	5,997,847	6,642,000	7,173,360	7,041,000	7,748,000
Arkansas.....	1,355,760	1,725,000	1,898,600	1,892,000	2,069,000
Tennessee.....	774,623	816,000	800,440	801,000	913,000
Indian Territory.....	387,929	299,000	343,850	344,000	413,000
Oklahoma.....	63,249	199,000	234,820	246,000	308,000
Missouri.....	61,489	77,000	97,790	53,000	59,000
Virginia.....	41,907	47,000	58,750	41,000	52,000
Total.....	20,825,658	23,521,000	25,557,180	25,034,734	27,532,000

## RECEIPTS OF NEW COTTON AT THE PORTS NAMED, PREVIOUS TO SEPTEMBER 1st.

	1893.	1894.	1895.	1896.	1897.	1898.	1899.	1900.	1901.
Charleston.....	148	674	38	9,623	822	404	1,329	826	30
Savannah.....	7,725	3,005	285	27,342	3,097	1,623	12,970	5,997	67
Mobile.....	354	294	77	2,837	237	261	1,292	189	91
New Orleans.....	5,429	15,233	4,379	46,051	50,958	4,174	15,906	4,552	9,560
Galveston.....	7,708	17,550	2,877	71,736	29,122	22,600	45,301	8,396	42,993
Total.....	20,914	36,746	7,656	157,639	83,936	29,062	76,798	19,960	52,741

"\* \* \* In the earliest years of cotton culture and cotton manufacture in the United States cotton of foreign growth was used by the best mills in preference to the American product, because it was better prepared and, therefore, could be used to greater advantage. Our country now supplies about eighty per cent. of the cotton consumed by the mills of Europe and America, and yet we import considerable quantities of Egyptian and Peruvian cotton each season, for the reason that these foreign cottons are better adapted for the special purposes for which they are used here. I do not think they conflict or compete with American cotton in our markets. The use of Egyptian cotton has been beneficial because it has developed a profitable business in some manufactures for which American cotton cannot be used at all. The use of Peruvian cotton has enabled us to manufacture certain kinds of cheap so-called woolen goods, which we formerly imported from Europe.

"Egyptian cotton has a long, strong, silky staple from  $1\frac{1}{2}$  to  $1\frac{3}{4}$  inches in length, while the staple of what is called our 'Upland Cotton' ranges from  $\frac{3}{4}$  to 1 inch, and of our 'Sea Island Cotton' from  $1\frac{1}{2}$  to  $2\frac{1}{2}$  inches. It is especially adapted for sewing-thread, fine underwear and hosiery (such as 'Balbriggan,' etc.) and for goods requiring smooth finish or high lustre. It gives to fabrics a soft finish like silk, and this character



together with its lustre makes it desirable for mixing with silk in the manufacture of various kinds of silk goods. For such purposes as I have named, it is very much better than our 'Upland Cotton' and usually sells for about two cents a pound more. For some of the purposes for which Egyptian cotton is used there is no American cotton which would be suitable. The good grades of our 'Sea-Island Cotton' are so much superior in fineness and strength to the best grades of Egyptian cotton that they sell for from 50 to 100 per cent. more. Our 'Upland Cotton' is not good enough to compete with Egyptian cotton for use in the special purposes for which the latter is imported and our Sea-Island cotton is too good and too high priced for the uses in which Egyptian cotton is generally employed.

"The increase in the use of Egyptian cotton here is due to the fact that many descriptions of goods are now made in this country for which we formerly depended upon Europe."

Census Bulletin No. 146 says there were 3,222 establishments for ginning cotton in Texas in 1900, employing 4,295 wage-earners, and then continues:

"The receipts for ginning and other work done in 1900 amounted to \$5,886,923. In 1890 there were 572 establishments and 2,440 wage-earners, and the receipts for ginning and other work done amounted to \$1,172,298. The increase in these receipts during the decade was \$4,714,625, or 402.2 per cent. These figures do not include the operations of many private plantation ginneries, or ginneries connected with saw, grist, or cottonseed-oil mills. \* \* \* In each of these two industries (manufacture of cottonseed oil products and cotton ginning) Texas ranks first in the United States—a natural result of its pre-eminence in cotton growing. There were 2,658,555 commercial bales of cotton grown and ginned in the State in 1899. \* \* \* The cotton belt in Texas extends from Travis county, near the center of the State, in a northeasterly direction to Grayson, Fannin, and Lamar counties, bordering upon Indian Territory. The ginneries in the counties of this belt handled 38 per cent. of the entire cotton production of the State in 1899. Three of the largest ginneries in the United States, ginning annually over 7000 round bales each, are located at Waco, Farmersville, and Granger, and in the average size of its ginneries Texas is exceeded only by Oklahoma and Indian Territory. Nowhere, except in these Territories, are automatic gins so largely used, or have the ginneries so generally adopted the custom of pressing the cotton after ginning into the so-called 'round bales.' This process was first introduced in 1894, in Texas, and since then has been very widely adopted in other States. 'Round bales' are ready for shipment when they leave the ginnery, and the work of cotton compressors is therefore dispensed with."

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## COTTONSEED OIL INDUSTRY.

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"The manufacture of cottonseed oil and cake," says United States Census Bulletin No. 146, "ranks second among the industries of the State in 1900, with 103 establishments, 2478 wage-earners, and products valued at \$14,005,324. In 1890 there were 13 establishments, 866 wage-earners, and products valued at \$3,262,596. The increase in the value

of products during the decade was \$10,742,728, or 329.3 per cent. \* \* \*

"Of the 93,325,729 gallons of cottonseed oil produced in the United States during the census year, 24,354,695 gallons, or 26.1 per cent., were produced in Texas. Large quantities of this oil are shipped each year from Galveston to Mediterranean ports. The cake and meal are not so largely used as fertilizers in Texas as they are in the cotton States east of the Mississippi river. This is due to the more recent development of the Texas soils, and the greater demand in this State for cottonseed meal and cake as food for cattle. It is estimated that half a million cattle are annually fattened on hulls and meal in the cotton States west of the Mississippi river."

Under date of January 23, 1902, the Austin Oil Manufacturing Company furnished (by request) the following information for the YEAR BOOK:

"On October 1, 1901, there were reported to be 154 cottonseed oil mills in the State of Texas. In a general way there may be said to be no waste. New uses are being discovered from time to time for the products of cottonseed, among the latest being the use of hulls as fiber in the manufacturing of fine grades of paper. The general products are oil, cake, linters, meal, and hulls. The use of hulls for fuel is practically obsolete, they being more valuable for feeding purposes."

Robert Gibson, secretary of the Cottonseed Crushers' Association, Dallas, in the course of a letter, says:

"Our experience and observations in Texas lead us to believe that the crush of seed is each year in Texas about 60 per cent. of the seed from that crop, and the yield of seed from a bale of cotton we estimate at about 1000 pounds."

The following is from an advance abstract of a bulletin of the Division of Manufactures, Twelfth United States Census (1900) issued by Director Merriam:

"There were 357 establishments engaged in the extraction of cottonseed oil in the United States, using 2,479,386 tons of cottonseed, costing \$28,632,616, an average cost of \$11.55 per ton. The total value of the products was \$42,411,835. The several products were as follows: cottonseed oil, 93,325,729 gallons, valued at \$21,390,674, which makes the average 22.9 cents per gallon; oil, cake and meal, 884,391 tons, valued at \$16,030,576, an average of \$18.13 per ton; hulls, 1,169,286 tons, valued at \$3,189,354, an average of \$2.73 per ton; and linters, 57,272,053 pounds, valued at \$1,801,231.

"As the quantity of seed crushed was only a part (53.1 per cent.) of the quantity produced, statistics for both are presented, the latter being 4,668,346 tons, valued at \$54,345,677, and the former 2,479,386 tons, costing at the mills, \$28,632,616. The available and the actual value of the crude manufactured products are \$80,371,375 and \$42,411,835, respectively. The estimated value of the lint cotton produced during the census year is \$338,836,921. There is also presented the combined value of the lint and seed produced, \$393,182,598, and the value of the entire cotton crop, including the value of the available crude manufactured products from the seed, \$419,208,296."

The number of establishments in the United States were distributed as follows: Alabama, 27; Arkansas, 20; Georgia, 46; Indian Territory, 6; Louisiana, 21; Mississippi, 41; North Carolina, 20; Oklahoma, 6; South

Carolina, 48; Tennessee, 15; Texas, 102; Florida, 1; Kansas, 1; Missouri, 2; Illinois, 1.

The bulletin gives the following figures as to output:

"For Texas: cottonseed crushed, 692,604 tons, costing \$7,560,661; value of products, \$11,519,656 (including oil, 24,354,695 gallons, valued at \$5,696,263; cake and meal, 252,983 tons, valued at \$4,371,377; hulls, 328,119 tons, valued at \$975,489; and linters, 15,544,379 pounds, valued at \$476,527)."

The value of the products during the census year in Florida, Kansas, Missouri, and Illinois was \$378,350; in Oklahoma, \$410,060; in North Carolina, \$1,880,015; in South Carolina, \$3,043,547, and in Louisiana, \$4,397,891—an aggregate of \$10,109,863, or \$1,409,793 less than Texas.

The figures for Georgia during the same year were \$4,787,100; for Mississippi, \$6,671,031, and for Tennessee \$2,738,038—an aggregate of \$14,196,169, or \$2,676,503 more than Texas. Texas exceeded Georgia and Louisiana, combined, \$2,334,665, and Mississippi and Georgia, combined, \$65,525.

"Among the economic developments which have characterized the industrial progress of the United States during the past quarter of a century, none has attracted more attention and brought about more desirable results than the manufacture of cottonseed products. Prior to 1860 the disposal of cottonseed gave the ginner and the community great concern. The seed was usually hauled to a remote place to rot, or dumped into some convenient stream of running water.

"\* \* \* At the census of 1870 but 26 cottonseed oil mills were reported. The number increased to 45 in 1880; 119 in 1890; and 357 in 1900; an increase of 73.1 per cent. between 1870 and 1880; 164.4 per cent. between 1880 and 1890; and 200 per cent. between 1890 and 1900. But it should be noted that the censuses prior to 1900 included all establishments engaged in refining cottonseed oil, while, as previously explained, this report includes only such establishments as are engaged in extracting the oil; accordingly, the figures given are probably not quite correct as regards the increase between 1890 and 1900.

"\* \* \* The first cottonseed oil mill in the United States was erected at Natchez, Miss., in 1854, but the industry did not acquire commercial importance until after the Civil War. In fact, the history of the industry prior to 1870 records more failure than success. The quantity of cottonseed crushed and the resulting products were not reported prior to the present census. It is, therefore, impossible to trace the growth of this industry statistically, except in so far as it is indicated by the exports. In the earlier years of its manufacture, cottonseed oil was almost entirely exported to foreign countries, and export figures for those years, therefore, represent very nearly the production of the country. The export of cottonseed oil in 1872 was 547,165 gallons, and it is estimated that approximately 3 per cent. of the cottonseed produced in that year was required for the production of this quantity of oil. The export in 1880 was 6,997,796 gallons, and represented a consumption of 20 per cent. of the seed produced in that year. It would not be safe to estimate on this basis for 1890, as by that time the home consumption of cottonseed oil had become an important factor."

The following are the export figures for the years indicated:

Year.	Gallons.	Value.	Average value per gal. Cents.
1891.....	11,003,160	\$ 3,975,305	36.1
1892.....	13,839,278	4,982,285	36.0
1893.....	9,462,074	3,227,556	41.5
1894.....	14,958,309	6,008,405	40.2
1895.....	21,187,728	6,813,313	32.2
1896.....	19,445,848	5,576,150	28.2
1897.....	27,198,882	6,897,361	25.0
1898.....	40,230,784	10,137,619	25.2
1899.....	50,627,219	12,077,519	23.9
1900.....	46,902,390	14,127,538	30.1
1901.....	49,356,741	16,541,321	33.5

"Following is a statement of the quantity and value of the several crude products obtainable from one ton of cottonseed:

	Quantity. Pounds.	Value.
Oil.....	292	\$ 8 61
Cake and meal.....	713	6 48
Hulls.....	943	1 29
Linters.....	23	71
Waste.....	39	.....
<b>Totals .....</b>	<b>2,000</b>	<b>\$17 09</b>

"\* \* \* In the beginning of the industry, hulls were often used as fuel in the engines, the ashes being utilized as a fertilizer. This custom, however, has largely been abandoned since the discovery of better uses for the hulls. These hulls are beginning to contribute largely to the wealth of the country. Paper stock made from them has already attracted attention, and one or two plants have recently been erected for this manufacture.

"Cattle feeding is, however, by far the most useful purpose to which these hulls have yet been applied, and this use of the product is one which must greatly increase. A mixture of ground hulls and cottonseed meal makes one of the best feeds known to the stock-raising dairy industries. \* \* \* The quantity of hulls secured from the seed crushed in 1900 was 1,169,286 tons.

"\* \* \* In the beginning of the industry cottonseed oil was looked upon only as an adulterant, and was used principally in Holland, Italy, and France. This source of demand still exists, but the oil is rapidly gaining ground upon its own merits. Its edibility is the basis of its value, and when it falls below the standard in this particular it must command lower prices.

"The history of a given quantity of cottonseed from the time it reaches the oil mill until it is separated into products, such as fertilizers, lint, cattle feed, paper stock, and oils adapted to various uses, may be briefly given. The oil resulting from the first refining process is known in commerce as 'summer yellow oil,' and is classed by the trade as 'prime' when it is entirely free from water, sediment and alkali.

"The next step is to get what is called 'winter yellow oil,' obtained by chilling the 'summer yellow oil' until it is partially crystallized and by separating the stearin in presses. This latter product is utilized in making 'butter and salad oils,' and candles.

"'Summer yellow oil,' thoroughly mixed with two to three per cent. of fuller's earth and filtered, yields the next grade of oil, which is known in commerce as 'summer white oil,' from which is obtained 'compound' lard and cottolene.

"'Miner's oil' is a white oil secured from the 'summer yellow' oil by the use of sulphuric acid, and is mixed with petroleum for use in miner's lamps.

"Soap stock is the residue obtained from the refining processes. It contains from 50 to 60 per cent. of fatty acids, and is used in making soaps. Mixed with other greases, this stock makes one of the finest grades of laundry soap. It is also utilized in making cylinders for phonographs."

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## CONVENTIONS.

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### Convention of 1832.

The Convention of 1832 met at San Felipe de Austin October 1, 1832, in response to an address issued at San Felipe August 22, 1832, by Horatio Chriesman, First Alcalde, and John Austin, Second Alcalde, of the Municipality of Austin. This address recommended that each town, precinct, and civil district in Texas elect five delegates.

The Convention was called to order by John Austin, Second Alcalde, who explained the objects of the meeting.

Stephen F. Austin was elected President, and F. W. Johnson, Secretary. The rules of the Senate of the State of Missouri, so far as applicable, were adopted for the government of the proceedings of the Convention.

The following delegates presented their credentials and took their seats the first day:

S. F. Austin, John Austin [S. F. and John Austin were not related], Samuel Bruff, Jesse Burnham, Henry S. Brown, Thomas D. Beauchamp, Geo. Butler, John M. Bradley, Nestor Clay, John Connell, Silas Dinsmore, Archibald Dobson, Samuel C. Douglass, Wm. English, Frederick Foye, Jacob Garrett, Jared Groce, Wyatt Hanks, Joshua Hadley, Jonah Harrison, Absalom Hier, Wm. R. Hensley, Thomas Hastings, Benjamin Holt, Ira Ingram, Elijah Isaacs, Patrick C. Jack, F. W. Johnson, James Kerr, Wm. D. Lacy, Luke Lesassier, James Looney, Joseph Looney, Samuel Looney, Wyly Martin, Eli Mercer, Wm. Menifee, James Morgan, Donald McDonald, Wm. McFarland, Hugh McGuffin, George B. McKinstry, Jesse Parker, Geo. F. Richardson, Wm. Robinson, Charles D. Sayre, Geo. Sutherland, C. Stinnett, Philip Sublett, Alexander Thompson, Charles S. Taylor, David Wright, Wm. H. Wharton, Robt. Wilson, Claiborne West.

Hyman Hautz presented his credentials on the 2nd or 3rd and thereafter participated in the proceedings. W. D. C. Hall appeared and was seated on the 4th; also Samuel Hoit.

Resolutions passed by the Convention asked for the repeal of the eleventh article of the law of the 6th of April, 1830, prohibiting further immigration from the United States; for a law to be passed authorizing the use of English in all transactions, except those "having an immediate

connection with the government"; asking a reduction of duties on articles of first necessity imported into Texas; and favoring a separate State government for Texas.

McFarland, Wharton, Lesassier, and S. F. Austin were appointed a select committee to revise the report made by the committee on the expediency of petitioning for a separate State government, and prepare the necessary memorial. They reported the memorial October 5th, and it was immediately adopted.

Ira Ingram, as chairman of the committee to which the matter was referred, submitted a report (which was adopted) recommending the establishment of a standing central and sub-committees of safety, vigilance, etc., for Texas; the central committee to have power to call a convention of delegates from all Texas whenever deemed expedient and, on the application of the people, appoint sub-committees in such places and neighborhoods as were not provided for by the Convention.

The Central Committee was composed of the following members: Francis W. Johnson, James B. Miller, Stephen F. Austin, Lewis L. Veeder, Robert Peebles, Wyly Martin, Wm. Pettus.

The following were appointed members of the sub-committees by the Convention: ——— McMahon, ——— Smith, Benjamin Holt, G. Butler, E. Raines, Jonas Harrison, C. S. Taylor, H. Hartz, Thomas Hastings, Claiborne West, G. A. Patillo, David Gardner, D. G. Burnet, Geo. F. Richardson, Wm. P. Harris, Samuel Hoit, Robert H. Williams, Eli Mercer, Samuel Lewis, Ephraim Thompson, Major Dailey, John G. Love, Bailey Anderson, Isaac W. Barron, James Morgan, G. M. Patrick, J. C. Reed, P. C. Jack, H. B. Johnston, A. B. Hardin, Hugh McGuffin, G. Sutherland, John Andrews, Eli Mitchell, H. S. Brown, Thomas R. Miller, William Robinson, W. R. Hensley, Samuel Bruff, Nestor Clay, A. Thompson, John P. Cole, John Austin, Charles D. Sayre, George B. McKinstry, Charles B. Stewart, W. D. C. Hall, Jesse Grimes, Francis Holland, John Bowman, R. Andrews, T. G. Gazley, Bartlett Sims.

The following districts were provided for, in the order named: Sabine, Tenehaw, Nacogdoches, Cow Bayou, San Jacinto, Mina, Snow River, Ayish Bayou, Anahuac, Liberty, Lavaca, Gonzales, Alfred, Hidalgo, Victoria, Viesca, and Bastrop.

S. F. Austin, Jonas Harrison, and Luke Lesassier were appointed a committee to represent to the Legislature of Coahuila and Texas the necessity of appointing a Surveyor General for Texas and to recommend Francis W. Johnson for the place.

Convention adjourned *sine die* October 6th.

The members from Goliad did not arrive until after adjournment, and the delegation from San Antonio not at all. The Goliad delegates formally endorsed all that had been done, as did also the San Antonio delegation upon being communicated with by the standing central committee.<sup>1</sup>

<sup>1</sup>In 1803 the United States purchased the Louisiana territory from France, and with it the French claim to Texas based on La Salle's expedition. The Spanish claim was founded upon prior discovery and over one hundred years peaceable adverse possession.

Under the D'Ouís treaty, negotiated at Washington February 23, 1819, and ratified by the Spanish government in October, 1820, the United States purchased East and West Florida and relinquished all claim to Texas. [Ratifications of the treaty were exchanged February 22, 1821.]

It was now believed that the Spanish interdiction of immigration from the

**Convention of 1833.**

This body assembled at San Felipe de Austin April 1, 1833. William H. Wharton was elected President and Thomas Hastings Secretary.

Sam Houston, Chairman; Nestor Clay, R. M. Williamson, James Kerr, Oliver Jones, Luke Lesassier, and Henry Smith, a committee appointed for that purpose, reported a constitution providing for the organization of Texas as a Mexican State separate from Coahuila, the constitution to be forwarded to the Mexican Congress for approval. The report was adopted almost unanimously.

Another committee, of which David G. Burnet was chairman and Nestor Clay and others were members, reported a memorial to the Mexican Congress, which was adopted.

Stephen F. Austin, James B. Miller, and Erasmo Seguin were appointed messengers to visit the City of Mexico and lay these documents before the Mexican Congress. Austin alone made the journey. His imprisonment and long detention are familiar to readers of Texas history.<sup>1</sup>

United States would be removed and an effort made to settle and develop the province.

Moses Austin, after a long and hazardous journey, arrived in San Antonio in December, 1820, made application for permission to introduce colonists, and leaving San Antonio in January, 1821, returned to Missouri, where he died June 10, 1821. The application was granted January 17, 1821.

The Spanish yoke was thrown off in Mexico February 24, 1821.

Stephen F. Austin, as his father's successor, crossed the Sabine into Texas with the first Anglo-American colonists to July 16, 1821. Being informed that it would be necessary for him to procure a confirmation of the grant, he went to the City of Mexico for that purpose. He arrived there April 10, 1822, and accomplished his object April 1823.

Other empresarios obtained contracts, a liberal republican constitution was adopted for Mexico in 1824, Texas began to fill with settlers and the current of events ran smoothly until 1832 when, stung by acts of outrageous despotism, the colonists attacked and compelled the surrender of the Mexican garrisons at Velasco and Anahuac, declared against Bustamante and in favor of the "well-beloved patriot Santa Anna," and held the above convention. General Mexia, a partisan of Santa Anna, sailed to Texas from Matamoros with vessels of war to inquire into what was transpiring. He was wined, dined, and given to understand that the Texans were embarked in the same cause as himself, and returned to Mexico. All Mexican soldiers in Texas who would not "pronounce" for Santa Anna were compelled to leave. Those favoring him proceeded of their own accord, to Mexico.

The convention of 1832 is important for the reason that it was the first held in Texas and marked the beginning of that resistance to arbitrary rule that led to the revolution of 1835-6 and the establishment of independence.

<sup>1</sup>Austin left Texas on his perilous mission in April, 1833, proceeding by the gulf to Matamoros. Writing from that place May 30, 1833, he said: "The general congress adjourned the 20th of this month and, as there will not be another regular session until January next, my journey to Mexico was rendered measurably useless. I have also been very much debilitated. \* \* \* These considerations determined me to postpone my trip to the capital for the present, and I forwarded the memorial of the convention to the government through the commanding general. Since then my health has improved and, an opportunity having unexpectedly presented itself, of a passage to Vera Cruz by sea, I have concluded to embrace it and shall depart in a few hours."

Returning home, he landed at the mouth of the Brazos September 1, 1835. A public dinner was given in his honor at Brazoria September 8 and the colonists, to the number of more than one thousand, gathered there to hear from his own lips an account of his sufferings and his advice as to what course should be pursued in the existing crisis. In his address he said: "The revolution in

The Convention adjourned after a session of about two weeks.

The minutes of its proceedings are supposed to have been destroyed by fire when San Felipe de Austin was burned in March, 1836.

The following list of names, furnished John Henry Brown by Maj. James Kerr, is believed to comprise those of all the delegates: Stephen F. Austin, Branch T. Archer, Gail Borden, Henry S. Brown, David G. Burnet, Francis A. Brigham, George Butler, James Bowie, John M. Bradley, Jesse Burnham, Nestor Clay, Thomas M. Duke, Silas Dinsmore, Archibald B. Dodson, William English, Jared E. Groce, Jesse Grimes, Jacob Garrett, Sam Houston, Thomas Hastings, Wyatt Hanks, A. B. Hardin, Jonas Harrison, Benjamin Holt, A. Hier, Ira Ingram, Oliver Jones, James Kerr, Ira R. Lewis, Luke Lesassier, John H. Moore, Eli Mercer, William Meniffee, James B. Miller, Donald McDonald, Robert Mills, James Morgan, William McFarland, Bartlett D. McClure, John D. Newell, R. R. Royall, George F. Richardson, Sterling C. Robertson, William Robinson, Henry Smith, George Sutherland, Claiborne Stinnett, Philip A. Sublett, Bartlett Sims, Frost Thorne, Charles S. Taylor, Alexander Thompson, William H. Wharton, R. M. Williamson, Robert Wilson, Claiborne West.

#### General Consultation.

While public meetings had been previously held (one as early as June 23, 1835) favoring the holding of a Consultation, the call under which delegates were elected was issued by the following committee, appointed for that purpose at an adjourned meeting of the citizens of Columbia, held August 15, 1835: John A. Wharton, W. D. C. Hall, Henry Smith, Silas Dinsmore, James F. Perry, John G. McNeil, Robert H. Williams, Wm. H. Jack, F. A. Brigham, John Hodge, Wade H. Bynum, B. T. Archer, Wm. T. Austin, P. Bertrand, and Isaac T. Tinsley.

William H. Wharton was chairman, and W. T. Austin secretary of the meeting.

Resolutions adopted by the meeting directed this committee to prepare an address to all the jurisdictions of Texas, requesting them to co-operate, and invested them "with full power to represent the jurisdiction of Columbia, \* \* \* use the most efficient means to call a Consultation, and employ all means in their power to secure peace and watch over \* \* \* rights."

In the address they issued the committee recommended that delegates be elected October 5th to assemble in General Consultation at the town of Washington, October 15, 1835.

Mexico is drawing to a close. The object is to change the form of government, destroy the federal constitution of 1824 and establish a central or consolidated government. \* \* \* Whether the people of Texas ought, or ought not, to agree to this change, and relinquish all or a part of their constitutional and vested rights under the constitution of 1824, is a question of the most vital importance, one that calls for the deliberate consideration of the people, and can only be decided by them, fairly convened for the purpose.

"\* \* \* With these explanatory remarks, I will give as a toast, 'The constitutional rights and the security and peace of Texas'—they ought to be maintained; and, jeopardized as they now are, they demand a general consultation of the people."

He was made president of the San Felipe committee of vigilance and safety, and served as such until he was called to the command of the volunteer army that assembled at Gonzales and marched upon San Antonio.



The action taken by the people of San Felipe on this call is set forth in the following document:

"SAN FELIPE DE AUSTIN,  
"Committee Room, Sep. 13, 1835.

"The undersigned, a committee of vigilance and correspondence appointed at a large general meeting of the inhabitants of the jurisdiction of Austin, convened at this place on the 12th instant, have the honor to transmit to you, in pursuance to the duties assigned them, a copy of the resolutions adopted by said meeting, in order that you will lay them before the people of that section of the country, and solicit their co-operation.

"This committee deem it entirely unnecessary to enter into a long statement of facts to show why a Consultation of all Texas is indispensable, for the reason that the present crisis is so evidently alarming that no one appears to doubt it.

"This necessity, indeed, seems to be so evident and pressing that a General Convention of Texas, with full and unlimited powers to organize a limited government under the Constitution of 1824, has been advocated by many, instead of a Consultation; but it is considered that it is a step that can not be safely adopted with any certainty of unanimity by any one district or municipality. Such a measure, and the necessary rules and regulations for directing elections and apportioning the representation equally according to population; the place where, and the time when the Convention ought to meet, and other important details, can only be determined by all Texas met in General Consultation. The measures which may be adopted by such a General Consultation will carry with them weight as being the voice of all Texas, instead of the opinions of a few; they will be the result of calm discussion and of a full and mature examination into the true situation of Texas; and they can not fail to produce unanimity at home and respect and confidence abroad.

"Some diversity of opinion has existed as to the place where the proposed Consultation should meet. This place and Washington have both been proposed. The meeting yesterday preferred this place, for the reason that there is a printing press here, the post office is here, the most important public records are here, and the principal political authority of this department resides here. This question will of course be decided by the wishes of the majority, for which reason it is important that you communicate to this Committee what are the wishes of the people of that section on this point.

"This Committee, in conclusion, recommend that the delegation from each district bring with them an exact census of the population and return of the militia from their respective districts to lay before the Consultation."

October 15th part of the delegates met at Washington, and October 16th part at San Felipe.

The delegates who assembled at the former place adjourned after drafting and signing the following protest, and some of them proceeded to San Felipe:

"We, the undersigned delegates elected to the General Consultation of all Texas to be holden at the town of Washington on the 15th day of October, 1835, met according to appointment.

"Having received the resolutions adopted by the members-elect of the General Council, the officers of the army, and people of Gonzales at their meeting held at Gonzales on the 11th inst., recommending an adjournment of the said Consultation to some future and convenient time, we concur therein; and recommend that the said Consultation be adjourned until the first day of November next.

"We further recommend, that the said General Consultation be holden in the town of Washington, as first proposed by the meeting of the citizens of Columbia and generally approved by the several meetings of the citizens of Texas.

"[Signed]

"JESSE GRIMES,  
"ASA MITCHELL,  
"E. COLLARD.

"We the undersigned members of the General Consultation, were not present at the above meeting; but, concur with those who were there, in agreeing to hold same at Washington on the first of November next.

"[Signed]

"A. G. PERRY,  
"A. E. C. JOHNSON.  
"J. L. HOOD,  
"J. G. W. PIERSON."

The delegates who met at San Felipe elected R. R. Royall chairman and Samuel Whiting secretary and adjourned until the following day (October 17) when, no quorum appearing, they adjourned to meet November 1st, or at such time as a quorum could be procured.

Monday, October 20th, the Permanent Council, that was acting as a governing body for Texas until the Consultation could form a better, passed the following resolution:

"*Resolved*, That the General Consultation of Texas be held at Washington on the first of November, as first proposed by the Committee of Columbia."

Notwithstanding this action, the delegates reconvened at San Felipe November 1, and the sessions of the Consultation were held there, the local committee evidently having succeeded in convincing them that San Felipe was the more desirable place.

A quorum was not secured until November 3d. Branch T. Archer was then elected President; A. Houston, Secretary Pro Tem., P. B. Dexter, Secretary, and Wm. Pettus, Sergeant-at-Arms; a declaration issued, and a Provisional Government organized.

The following is a complete list of the members: Stephen F. Austin, Samuel T. Allen, Wm. W. Arrington, Henry Augustin, John Bevil, John H. Blount, Thomas Barnett, D. C. Barrett, Jesse Burnham, Edward Burleson, David G. Burnet, John S. D. Byrom, J. D. Clements, R. M. Coleman, Philip Coe, Elijah Collard, George W. Davis, C. C. Dyer, S. H. Everitt, Wm. S. Fisher, Benj. Fuqua, Jesse Grimes, Jacob Garrett, W. D. C. Hall, Wyatt Hanks, A. B. Hardin, Wm. P. Harris, James Hodge, A. Horton, Joseph L. Hood, A. Houston, Sam Houston. Asa Hoxey, Thomas Holmes, — Hoffman, Hugh B. Johnson, A. E. C. Johnson, Randall Jones, A. G. Kellogg, James Kerr, J. S. Lester, Ira R. Lewis, Samuel Lewis, J. J. Linn, David B. MacComb, B. Manlove, P. Menard, Wyly Martin, Wm. Meniffee, Henry Millard, E. M. Millican, Thos. R. Miller, Asa Mitchell, John W. Moore, John D. Newell, Geo. M. Patrick, Daniel Parker, James W. Parker, Martin Parmer, A. G. Perry,

J. G. W. Pierson, James W. Robinson, N. Robbins, R. R. Royall, Thomas J. Rusk, Bartlett Sims, — Shepherd, Wm. N. Sigler, Henry Smith, M. W. Smith, Geo. Sutherland, Alexander Thompson, W. B. Travis, Thomas Veatch, Edwin Waller, Claiborne West, Wm. H. Wharton, John A. Wharton, William Whitaker, Francis White, R. M. Williamson, Charles Wilson, J. B. Woods, Lorenzo de Zavala.

The Consultation, having completed its labors, adjourned November 14, 1835, to reassemble March 1, 1836, unless sooner called together by the Governor and Council. It, however, never reassembled, being superseded by the Plenary Convention of March 1, 1836, that adopted a declaration of independence, established a government *ad interim*, and drafted a constitution, under which, when submitted to and adopted by the people, the Republic of Texas was established.

After the adjournment of the Consultation, municipalities that had not previously selected their representatives, proceeded to elect them. The new members thus chosen performed no other service than to select out of their several delegations one member to represent in the Council each of the previously unrepresented municipalities. The following gives approximately the date of their election:

November 22, 1835, Lieut.-Gov. Robinson presented to the General Council certificates of the election of James Power, Wm. Malone and Hugh Frazer; November 28th he submitted the certificates of Thomas J. Western, Peter W. Grayson, Benjamin Fort Smith, Diego Grant, and Ira Westover; and November 30th Mr. Kerr submitted the certificates of John McMullen, John W. Bower, and Lewis Ayres.

### **Plenary Convention.**

The Plenary Convention was in session at Washington March 1-17, 1836. An election of delegates to this Convention was held February 1, 1836, pursuant to a proclamation issued by Governor Smith in accordance with the provisions of an ordinance passed by the General Council December 10, 1835, vetoed by Governor Smith, and on December 13th passed over his veto.

*Temporary Officers.*—James Collingsworth, President; Willis A. Farris, Secretary.

*Permanent Officers.*—Richard Ellis, President; H. S. Kimble, Secretary; F. W. Jackson, Willis A. Farris and John McLeod, Assistant Secretaries; ——— Saul, Engrossing Clerk; Isham Parmer, Sergeant-at-Arms, to March 16, and Charles Lay thereafter; John A. Keiser, and later Joshua Canter, Doorkeeper.

*Members.*—G. W. Barnett, Thomas Barnett, J. B. Badgett, Asa Brigham, John W. Bowers, John S. D. Byrom, J. W. Bunton, S. W. Blount, A. Briscoe, James Collingsworth, Sam P. Carson, Wm. Clark, Jr., Wm. C. Crawford, R. M. Coleman, Matthew Caldwell, Geo. C. Childress, Edward Conrad, Richard Ellis, S. H. Everitt, John Fisher, S. Rhoads Fisher, Benjamin B. Goodrich, Jesse Grimes, Thomas J. Gazely, James Gaines, A. B. Hardin, Robt. Hamilton, Sam Houston, Bailey Hardeman, James Kerr, E. O. LeGrande, Albert H. Latimer, Wm. D. Lacy, J. J. Linn, Wm. Menifee, Samuel A. Maverick, Wm. Motley, John W. Moore, Collin McKinney, Michael B. Menard, Antonio Navarro, Martin Parmer, Robert Potter, Sydney O. Pennington, James Power, John S. Roberts, Sterling C. Robertson, Francisco Ruiz, Thomas J. Rusk, George W. Smyth, Charles B. Stewart, James G. Swisher, John W. Smith, Elijah

Stapp, Wm. B. Scates, David Thomas, John Turner, Chas. S. Taylor, Claiborne West, Edwin Waller, James B. Woods, Joseph Wert, Lorenzo de Zavala.

S. Rhoads Fisher, John W. Moore, A. Briscoe and James B. Woods arrived after the adoption of the declaration of independence<sup>1</sup> and affixed their signatures to the instrument.

Delegates J. J. Linn and James Kerr did not reach the Convention.

The signatures of John W. Smith and Asa Brigham are not appended to the declaration.

The following facts are gleaned from the journals of the Convention:

On contest, Royall, from Matagorda, was succeeded by S. Rhoads Fisher, and John McMullen by John W. Bowers, from Refugio. Samuel A. Maverick, from Bexar; S. Rhoads Fisher, from Matagorda; and James Woods, from Liberty, took their seats March 6th. John W. Moore, from Harrisburg, took his seat March 7th. Sam P. Carson, from Red River, took his seat March 10th. Andrew Briscoe, by special resolution, was invited to a seat in the Convention as one of the representatives from Harrisburg March 11th, and thereafter served as such. March 16th Parmer and Waller asked and obtained leave to be discharged from further attendance as delegates.

The various municipalities were entitled, under the ordinance, to be represented in the Convention by the following number of delegates: Austin, 3; Brazoria, 4; Washington, 4; Mina, 3; Gonzales, 2; Viesca, 2; Nacogdoches, 4; San Augustine, 4; Liberty, 3; Harrisburg, 2; Jasper, 2; Matagorda, 2; Jackson, 2; Tenewhaw, 2; Jefferson, 2; Refugio, 2; Goliad, 2; San Patricio, 2; Bexar, 4; Guadalupe Victoria, 2; Pecan Point, 2.

#### **Annexation Convention, at Austin, July 4 to August 28, 1845.**

Convened in obedience to a proclamation of President Anson Jones, dated May 5, 1845.

Abner S. Lipscomb was elected President Pro Tem., and James H. Raymond, Secretary Pro Tem.

*Permanent Officers.*—Thomas J. Rusk, President; James H. Raymond, Secretary; Thomas Green, Assistant Secretary; J. M. Swisher, Second Assistant Secretary; James Neely, Sergeant-at-Arms; Rev. Haynie, Chaplain; Wm. Cockburn, Doorkeeper.

*Members.*—John D. Anderson, Cavitt Armstrong, James Armstrong, B. C. Bagby, R. E. B. Baylor, R. Bache, Isaac W. Brashear, George W. Brown, James M. Burroughs, Philip M. Cuney, Edward Clark, John Caldwell, A. S. Cunningham, Wm. L. Cazneau, James Davis, N. H. Darnell, Lemuel Dale Evans, Gustavus A. Everts, Robert M. Forbes, David Gage, John Hemphill, A. C. Horton, A. W. O. Hicks, J. Pinckney Henderson, Volney E. Howard, Wm. L. Hunter, S. Holland, Joseph L. Hogg, Van R. Irion, Henry J. Jewett, Oliver Jones, H. L. Kinney, P. O. Lumpkin, John M. Lewis, Abner S. Lipscomb, A. H. Latimer, Sam Lusk, James Love, H. R. Latimer, J. B. Miller, James S. Mayfield,

<sup>1</sup>The declaration declaring Texas a free and independent republic was adopted March 2nd. Following that action the convention drafted a constitution to be submitted to the people for ratification as soon as times should become sufficiently quiet to permit, established a government *ad interim*, elected General Sam Houston commander-in-chief of the army, and passed various important ordinances.

Francis W. Moore, Jr., A. McGowan, A. McNeill, Jose Antonio Navarro, W. B. Ochiltree, Isaac Parker, James Power, Emory Raines, H. G. Runnels, Thomas J. Rusk, George W. Smyth, James Scott, Israel Standefer, C. B. Stewart,<sup>1</sup> E. H. Tarrant, Isaac Van Zandt, Geo. W. Wright, Francis M. White, George T. Wood, Wm. C. Young.

#### Secession Convention.

At Austin, January 28 to February 4, 1861 (first session) and March 2 to 26 (second session).<sup>2</sup>

*Officers.*—O. M. Roberts, President; Jno. D. Stell, Vice-President; R. T. Brownrigg, Secretary; Wm. D. Schoolfield, Assistant Secretary; R. W. Lunday, Assistant Secretary.

*Members.*—L. A. Abercrombie, W. A. Allen, James M. Anderson, T. S. Anderson, James R. Armstrong, Richard L. Askew, W. S. J. Adams, Wm. C. Batte, S. W. Beasley, John Box, H. N. Burditt, James Burroughs, John I. Burton, S. E. Black, W. T. Blythe, Amzi Bradshaw, R. W. Braham, A. S. Broadus, John Henry Brown, Robert C. Campbell, Lewis F. Casey, Wm. Chambers, T. J. Chambers, John G. Chambers, N. B. Charlton, George W. Chilton, Isham Chisum, Wm. Clark, Jr., J. A. Clayton, Charles L. Cleveland, A. G. Clopton, Richard Coke, James E. Cook, John W. Dancy, A. H. Davidson, C. Deen, Thomas J. Devine, Thomas G. Davenport, James J. Diamond, Wm. W. Diamond, John Donelson, Joseph H. Dunham, Edward Dougherty, H. H. Edwards, Elbert Early, John N. Fall, Drury Field, John H. Feeney, George M. Flournoy, Spencer Ford, John S. Ford, Thomas C. Frost, Amos P. Galloway, Charles Ganahl, Robert S. Gould, Robert Graham, Malcom D. Graham, Peter W. Gray, John A. Green, John Gregg, Wm. P. Harde-man, John B. Hayes, P. T. Herbert, A. W. O. Hicks, Thos. B. J. Hill, Alfred M. Hobby, Joseph L. Hogg, J. J. Holt, James Hooker, Edward R. Hord, Russell Howard, A. C. Hoyl, Thos. P. Hughes, J. W. Hutcheson, John Ireland, Thos. J. Jennings, F. Jones, W. C. Kelly, T. Koester, C. M. Lesueur, F. W. Latham, Pryor Lea, James S. Lester, John Little-

<sup>1</sup>General Houston was elected a delegate from Montgomery county, but going on a visit to General Jackson in Tennessee, could not attend the convention, and Charles B. Stewart, who had been a candidate for delegate and received the next highest number of votes, was selected to represent the county.

<sup>2</sup>Immediately upon the reception of the news that Lincoln had been elected, local meetings were held all over Texas that declared in favor of a State convention being called to determine what action should be taken, various places being suggested for it to assemble. The meeting at Houston appointed a committee, of which Dr. Ashbel Smith was a member, to visit Austin and request Gov. Houston to convene the Legislature in special session in order that that body might call the convention. The committee having performed its duty, reported that Gov. Houston refused to take the action desired. Thereupon a second meeting at Houston formulated a plan for electing delegates that was endorsed in every community and embodied in an address sent out from Austin signed by public officials at the capital and leading men of the State. Elections (ordered by the judges of the county courts) were held thereunder and the convention assembled at Austin at the time specified above.

In obedience to proclamation of the Governor, the Legislature convened in special session a few days before the convention met. Houston refused to recognize the second session of the Convention as legal, but the Legislature did, the members taking the oath it prescribed.

The members of the Convention and the people back of them were determined, and the Governor and the feeble following that clung to him were swept aside, and the popular will accomplished.

ton, M. F. Locke, Oliver Loftin, Thos. S. Lubbock, P. N. Luckett, Henry A. Maltby, Jesse Marshall, James M. Maxey, Lewis W. Moore, William McCraven, Wm. McIntosh, G. McKay, Thomas M. McCraw, W. G. Miller, Albert N. Mills, Thomas Moore, Thomas C. Moore, Charles De Montel, B. F. Moss, John Muller, Thomas J. Nash, A. Nauendorf, T. C. Neel, Allison Nelson, James F. Newsom, W. M. Neyland, E. B. Nichols, A. J. Nicholson, E. P. Nicholson, James M. Norris, Alfred T. Obenchain, W. B. Ochiltree, W. S. Oldham, R. J. Palmer, W. M. Payne, W. K. Payne, William M. Peck, W. R. Poag, Alexander Pope, David Y. Portis, D. M. Prendergast, Walter F. Preston, F. P. Price, A. T. Rainey, John H. Reagan, C. Rector, P. G. Rhome, E. S. C. Robertson, J. C. Robertson, J. B. Robertson, Wm. P. Rogers, O. M. Roberts, James H. Rogers, Edward M. Ross, Jno. Rugely, H. R. Runnels, E. B. Scarborough, Wm. T. Scott, Wm. R. Scurry, James E. Shepard, Sam S. Smith, Gideon Smith, John D. Stell, John G. Stewart, Charles Stewart, F. S. Stockdale, Wm. H. Stewart, Pleasant Taylor, B. F. Terry, Nathaniel Terry, E. Thomason, James G. Thompson, W. S. Todd, James Walworth, R. H. Ward, Wm. Warren, James C. Watkins, John A. Wharton, Joseph P. Weir, John A. Wilcox, A. P. Wiley, Ben Williams, Jason Wilson, Philip A. Work, Edwin Waller.

The following were the only members who voted against the ordinance of secession: Thomas P. Hughes, A. P. Shuford, George W. Wright, Wm. H. Johnson, J. W. Throckmorton, Joshua A. Johnson, and Lemuel H. Williams.

The following served only at the adjourned session and signed the ordinance on or after March 2, 1861: D. M. Stapp, John A. Chambers and Eli H. Baxter.

*Committee of Safety Appointed by Authority of the Convention.*—John C. Robertson, Chairman; James H. Rogers, A. T. Rainey, J. R. Armstrong, W. P. Rogers, J. M. Norris, T. J. Devine, W. Miller, J. J. Diamond, C. L. Cleveland, P. N. Luckett, T. S. Lubbock, John A. Green, John Henry Brown, J. G. Thompson, James Hooker, F. W. Latham, Charles Ganahl, and John S. Ford.

#### **Union Convention of 1866.**

Election for delegates was held January 8, 1866, pursuant to proclamation issued by Governor A. J. Hamilton.

Convention met at Austin February 10, 1866, and adjourned *sine die* April 2nd of that year.

*Officers.*—J. W. Throckmorton, President; D. C. D. Dickson and Wm. M. Taylor, Presidents Pro Tem.; Leigh Chalmers, Secretary; J. G. Wheeler, First Assistant Secretary; J. V. Hutchins, Second Assistant Secretary; Rhoads Fisher, Engrossing Clerk; A. Burleson, Sergeant-at-Arms; J. J. Stubblefield, Assistant Sergeant-at-Arms; Sam. M. Flournoy, Doorkeeper.

*Members.*—Wm. R. Anderson, M. L. Armstrong, M. W. Allen, W. P. Beall, A. J. Ball, Geo. C. Benge, John Burke, W. P. Bacon, John K. Bumpass, King Bryan, Amzi Bradshaw, P. W. Clements, J. L. Camp, L. B. Camp, E. Degener, W. C. Dalrymple, Orin Drake, E. J. Davis, Jack Davis, D. C. Dickson, J. W. Flanagan, C. A. Frazier, A. M. Gentry, D. C. Giddings, E. J. Gurley, John Hancock, James W. Henderson, Z. Hunt, J. M. Hurt, J. L. Halbert, Hardin Hart, J. W. W. Hufield, F. A. Hill, A. Hancock, A. Harwood, John Ireland, M. T. Johnson, J. F.

Johnson, Geo. W. Jones, Wm. E. Jones, A. H. Latimer, R. H. Lane, James M. Lindsay, Hamilton Ledbetter, W. B. Middleton, H. P. Mabry, Daniel Murchison, A. P. McCormick, A. B. Norton, H. W. Nelson, James M. Norris, A. H. Phillips, J. A. Paschal, J. H. Parsons, F. J. Parker, J. S. Porter, J. M. Perry, J. K. P. Record, Benton Randolph, H. R. Runnels, Reuben A. Reeves, Isajah O'Brien Richardson, James E. Ranck, O. M. Roberts, H. Stewart, James Shaw, Geo. W. Smith, B. T. Selman, B. G. Shields, A. W. Spaight, James E. Shepard, R. F. Slaughter, X. B. Saunders, W. P. Saufley, A. P. Shuford, A. Smith, A. Taylor, R. H. Taylor, Wells Thompson, J. B. Thomas, Wm. M. Taylor, Benjamin R. Tyus, W. S. Thomas, W. M. Varnell, T. N. Waul, J. W. Whitfield, Richard S. Walker, P. C. Woods, S. A. Willson, J. M. Young.

#### **Reconstruction Convention of 1868-1869.<sup>1</sup>**

Convened at Austin June 1, 1868; remained in session for three months, and then adjourned to meet again December 7th. Reconvened on the date last named and, having ceased to have a quorum, was declared formally adjourned February 6, 1870, by E. J. Davis (its President) in obedience to an order from Gen. Canby.

*Officers.*—E. J. Davis, President; W. V. Tunstall, Secretary; A. J. Bennett, First Assistant Secretary; H. M. Taylor, Second Assistant Secretary; M. Mobins, Enrolling Clerk; George Armstrong, Engrossing Clerk; W. H. Graham, Sergeant-at-Arms; J. K. Williams, First Assistant Sergeant-at-Arms; Henry Willis, Second Assistant Sergeant-at-Arms; Wm. Preece, Doorkeeper; S. P. McKee, Assistant Doorkeeper; Henry Renick, Chaplain.

*Members.*—M. L. Armstrong, James Armstrong, P. P. Adams, J. G. Bell, Ed Ballinger, A. Bledsoe, James Russell Burnett, A. Buffington, J. B. Boyd, A. M. Bryant, C. W. Bryant, James Brown, N. V. Board, W. Frank Carter, Stephen Curtis, D. W. Cole, C. Caldwell, D. C. Constant, C. E. Coleman, Lemuel Dale Evans, A. J. Evans, Wm. R. Fayle, Wm. H. Fleming, J. W. Flanagan, Webster Flanagan, H. H. Foster, Aaron Grigsby, Marsh Glenn, M. H. Goddin, B. W. Gray, M. A. Gaston, A. J. Hamilton, W. E. Horne, Cad T. Duval Hume, Loring P. Harris, H. C. Hunt, James Healey, Morgan C. Hamilton, S. M. Johnson, Wiley Johnson, A. P. H. Jordan, Thomas Kealey, Wm. Keikwein, A. P. Kirk, Mitchell Kendall, J. G. Leib, L. Lindsay, J. H. Lippard, Ralph Long, T. H. Mundine, W. W. Mills, David Muckleroy, Sr., John Mackey, Armistead F. Monroe, W. H. Mullins, John Morse, A. P. McCormick, J. McWashington, J. P. Newcomb, Wm. E. Oakes (died August 24, 1868, and was succeeded by Shephard Mullins), Nathan Patton, William Phillips, H. C. Pedigo, W. H. Posey, M. Priest (succeeded W. H. Mullins, deceased), E. C. Rogers, G. T. Ruby, Jacob Ruckler, Geo. W. Smith (resigned), F. W. Sumner, Julius Schutze, J. R. Scott, Robt. R. Smith, G. M. L. Sorelle, Charles J. Stockbridge, G. H. Slaughter, J. W. Talbot (resigned, and was succeeded by Richard E. Talbot), James W. Thomas, Benjamin O. Watrous, G. W. Whitmore, Erwin Wilson, Arvin Wright, B. F. Williams, J. H. Wilson, G. Yarborough, A. H. Vaughn, Wm. M. Varnell.

<sup>1</sup>Delegates to the convention were apportioned to the counties, by military order, according to the number of registered voters. The total registered in Texas were 104,096—56,666 whites and 47,430 negroes.

**Constitutional Convention of 1875.**

Convened at Austin September 6, 1875, and adjourned *sine die* November 25, 1875.

*Officers.*—Edward B. Pickett, President; Leigh Chalmers, Secretary.

*Members.*—Buckner Abernathy, D. Abner, Joseph E. Arnim, Thos. G. Allison, Bennett Blake, W. P. Ballinger, Jo W. Barnett, Wm. Blassingame, E. W. Brady, John Henry Brown, H. C. Bruce, Ed. Burleson, Edward Chambers, Henry Cline, Wm. D. S. Cook, G. B. Cooke, W. L. Crawford, B. H. Davis, N. H. Darnell, Burrill B. Davis, William W. Dillard, E. L. Dohoney, Charles DeMorse, J. W. Ferris, Webster Flanagan, Joseph P. Douglas, J. R. Fleming, George Flourney, John S. Ford, James G. Gaither, James L. German, A. C. Graves, James E. Haynes, John R. Henry, John L. Henry, Wm. C. Holmes, Asa Holt, John Johnson, J. F. Johnson, C. B. Kilgore, Samuel B. Killough, Henry C. King, Robert Lacy, Thos. J. Lockett, Frank J. Lynch, L. H. McCabe, George McCormick, S. A. McKenney, Andrew T. McKinney, W. P. McLean, Marion Martin, B. D. Martin, L. W. Moore, J. R. Morris, J. B. Murphy, Lipscomb Norvell, Thomas L. Nugent, D. A. Nunn, Wm. Neal Ramey, John H. Reagan, Robert B. Rentfro, E. Sterling C. Robertson, Joel W. Robinson, W. Reynolds, L. S. Ross, S. H. Russell, Jonathan Russell, Richard Sansom, Preston Scott, G. A. Sessions, C. R. Smith, Israel Spikes, Wm. H. Stewart, Fletcher S. Stockdale, H. W. Wade, W. T. G. Weaver, C. S. West, W. W. Whitehead, W. B. Wright.

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## SUPREME COURT OF THE REPUBLIC.

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The Supreme Court consisted of a Chief Justice and the District Judges (elected by Congress, on joint ballot). The Chief Justice and a majority of the judges constituted a quorum. No adequate provision was made for reporting and publishing the decisions in book form. The volume in which they now appear contains the following explanatory note: "These opinions were originally published at the back of a digest of laws" (Dallam's Digest).<sup>1</sup>

Thursday, December 16, 1836, James Collingsworth was elected by

<sup>1</sup>Article 4, Section 7, Constitution, 1836: "The Supreme Court shall consist of a Chief Justice and Associate Justices; the District Judges shall compose the Associate Judges, a majority of whom, with the Chief Justice, shall constitute a quorum."

Section 9: "The judges of the Supreme and District Courts shall be elected by joint ballot of both houses of Congress."

Section 1: "The judges of the Supreme and inferior courts shall hold their offices for four years, and be eligible to re-election."

Section 8: "The Supreme Court shall have appellate jurisdiction only, which shall be conclusive, within the limits of the Republic; and shall hold its sessions annually at such times and places as may be fixed by law."

Successive acts of Congress approved December 15, 1836; May 24, 1838; February 3, 1842, and February 3, 1845, provided, in the order named, that the annual sessions of the court should begin the first Monday in December, the second Monday in January, the second Monday in June, and the third Monday in December of each year.





**THE SUPREME COURT OF TEXAS.  
THE PRESENT BENCH.**

**REUBEN R. GAINES,  
CHIEF JUSTICE.**

**THOMAS J. BROWN,  
ASSOCIATE JUSTICE.**

**F. A. WILLIAMS,  
ASSOCIATE JUSTICE.**



Congress Chief Justice of the Supreme Court,<sup>1</sup> and the following District Judges:

Shelby Corzine, First District.

B. C. Franklin, Second District.

R. M. Williamson, Third District.

J. W. Robinson, Fourth District.

At the same time R. Scurry was elected District Attorney of the First District; A. M. Thompkins, of the Second District; H. C. Hudson, of the Third District; J. Ricord, of the Fourth District.

Collingsworth jumped from a boat and was drowned in Galveston bay in 1838 before a session of the court was held. John Birdsall<sup>2</sup> was appointed by President Houston to fill the vacancy until Congress met.

<sup>1</sup>Senate Journal, First Congress, December 16, 1836: "A committee from the House of Representatives was received, announcing that the House of Representatives would be ready to receive the Senate in ten minutes. The Senate took a recess of ten minutes, at the expiration of which time the Senate proceeded to the hall of the House of Representatives, where, by joint vote of the two houses, the Hon. James Collingsworth was elected Chief Justice of the Supreme Court."

<sup>2</sup> BRAZORIA, July 17, 1838.

We, the undersigned members of the Brazoria bar, conceiving it of the last importance to the vital interest of the country that the office of Chief Justice of the Supreme Court should be filled by a gentleman of the highest character for legal attainments, sterling integrity, unshrinking firmness, and of unimpeachable morals, respectfully beg leave to recommend to Your Excellency John Birdsall, Esq.

This appointment would contribute in an eminent degree to the elevation of the bench to its proper respectability, and the unbounded confidence to which he is entitled would place the administration of the law upon a certain and sacred basis. Should Your Excellency conceive it necessary to appoint a successor to our lamented late Chief Justice, James Collingsworth, the undersigned cherish the sanguine hope that the merits of Mr. Birdsall are so well known that he will be powerfully recommended to your consideration.

WM. H. JACK,  
T. A. SAWYER,  
J. IRION,  
E. M. PEASE,  
PAT C. JACK,  
JOHN W. HARRIS,  
R. J. TOWNES.

Extract from Senate Journal of the Third Congress, November 19, 1838: "A message was received from the President of the Republic announcing that he had made a *pro tempore* appointment of a Chief Justice."

The appointment referred to was the following:

Hon. John Birdsall.

SIR: I have the honor of appointing you Chief Justice of the Republic of Texas (*pro tem.*) to fill the vacancy which has resulted in consequence of the decease of Hon. James Collingsworth.

Should you accept the same, you will be pleased to enter upon the duties of the office and notify the fact to President as early as convenient.

I have the honor to be,

SAM HOUSTON.

Birdsall's response to President Houston's note was as follows:

His Excellency Sam Houston, President of the Rep. of Texas.

SIR: I have the honor, herewith, to tender my resignation as Attorney General, and declare my acceptance of that of Chief Justice of the Republic of Texas.

With sentiments of high consideration, your obt. servt.,

JOHN BIRDSALL.

Thomas J. Rusk<sup>1</sup> was elected Chief Justice by that body December 12, 1838, and served until December 5, 1840, when he was succeeded by John Hemphill.<sup>2</sup>

The court was organized and held its first session at Austin, in January, 1840.

The District Judges performed a large part of the work of the court, Mills, Shelby and others rendering decisions that were concurred in by the Chief Justice and the other judges.

The following is a list of the District Judges who served during the Republic (they were at first four, and later seven, in number):

<sup>1</sup>December 12, 1838, at 3 p. m., the following proceedings were had in Congress, as stated by the Journal:

"The Senate met pursuant to adjournment, a quorum present. On motion of Mr. Everitt the Senate went into secret session. The doors being re-opened, the Senate joined the House of Representatives for the election of Chief Justice. Thomas J. Rusk, John A. Wharton, John Birdsall and B. C. Franklin were put in nomination. At the 17th ballot the vote stood thus: for Thomas J. Rusk, 29; for J. A. Wharton, 18; for B. C. Franklin, 3. So Thomas J. Rusk was duly declared elected Chief Justice of the Republic of Texas for the unexpired term of the late Jas. Collingsworth."

On being notified of the result, Rusk wrote to Col. Barnard E. Bee, Secretary of State, the following letter:

NACOGDOCHES, 16th January, 1839.

DEAR COL.: I have just this moment received a notification of my election as Chief Justice, and avail myself of this occasion to signify to you my acceptance of the office. I have just returned from Red River much exhausted. I will write you in a day or two fully, and will be in Houston myself shortly.

I am, sir, truly your friend,

THOS. J. RUSK.

<sup>2</sup>Senate Journal, Fifth Congress, first session, 2:30 p. m., November 14, 1840: "A message from the Chief Clerk of the Department of State, reporting the office of Chief Justice of the Republic vacated by the resignation of Hon. Thos. J. Rusk."

From the same, December 5, 1840: "A message from the House by the Hon. Mr. Harrison was received, inviting the Senators to a seat in the Representative Hall for the purpose of going into an election for Chief Justice.

"On motion, the Senate suspended the 18th joint rule of the two houses, accepted the invitation, and appointed Messrs. Everitt, Gaines and Byrne as a committee to wait upon the House and inform them of the same. \* \* \* The Senators repaired to the House of Representatives. The roll called—a quorum present. The President of the Senate announced nominations for Chief Justice to be in order, for which Mr. Jones [Anson Jones] nominated John Hemphill, and Mr. Everitt, James Webb. On balloting by the Senate the vote was seven each. The House then voted, which gave Mr. Hemphill twenty-one and Mr. Webb nineteen. On casting the vote of the two houses, Mr. Hemphill received twenty-eight, Mr. Webb twenty-six. The Speaker then announced Mr. Hemphill duly and constitutionally elected Chief Justice of the Republic of Texas for the next four years. The Senators who voted for Mr. Hemphill are: Messrs. Byrne, Daingerfield, Grimes, Jones, Greer, Muse and Stroud. Those for Mr. Webb: Barnett, Everitt, Kendrick, Lester, Miller, Moore and Potter. The Senators then returned to their chamber."

DISTRICT JUDGES AND DISTRICT ATTORNEYS DURING THE REPUBLIC, AND  
THE FIRST UNDER STATE OF TEXAS, SO FAR AS SHOWN BY REC-  
ORDS IN THE OFFICE OF THE SECRETARY OF STATE.

Date of Commission	Name.	Office.	Remarks.
Dec. 16, 1836	Shelby Corzine .....	Judge 1st District.....	Died.
16, 1836	R. C. Franklin.....	Judge 2nd District.....	Resigned.
16, 1836	R. M. Williamson.....	Judge 3rd District.....	Resigned Jan. 22, 1839.
16, 1836	James W. Robinson.....	Judge 4th District.....	Resigned.
	E. T. Branch.....	Judge 5th District.....	Resigned.
Jan. 23, 1839	John T. Mills.....	Judge 3rd District.....	Resigned Dec., 1840.
Feb. 11, 1839	Ezekiel W. Cullen.....	Judge 1st District.....	Resigned
Aug. 16, 1839	Henry W. Fontaine.....	Judge 2nd District.....	Resigned.
Sept. 5, 1839	John Scott.....	Judge 2nd District.....	Served out the term.
Nov. 29, 1839	Anthony B. Shelby.....	Judge 1st District.....	Resigned Sept. 2, 1841.
29, 1839	Wm. Jeff Jones.....	Judge 2nd District.....	Resigned Jan. 25, 1842.
Dec. 16, 1836	Richardson Scurry.....	District Attorney 1st District..	
16, 1836	A. M. Tompkins.....	District Attorney 2nd District..	
16, 1836	H. C. Hudson.....	District Attorney 3rd District..	
16, 1836	John Ricord.....	District Attorney 4th District..	
	Napoleon Thompson.....	District Attorney 1st District..	Resigned.
	A. M. Tompkins.....	District Attorney 2nd District..	
	H. C. Hudson.....	District Attorney 3rd District..	
Jan. 1, 1836	Jno. D. Morris.....	District Attorney 4th District..	Resigned.
Feb. 5, 1839	Jno. R. Reid.....	District Attorney 2nd District..	Resigned.
Mar. 22, 1839	F. W. Ogden.....	District Attorney 1st District..	
Aug. 28, 1839	John R. Hubert.....	District Attorney 5th District..	Died.
	Charles S. Taylor.....	District Attorney 5th District..	Not confirmed.
Jan. 4, 1840	Charles M. Goad.....	District Attorney 5th District..	Refused to accept.
20, 1840	John Hemphill.....	Judge 4th District.....	Resigned.
31, 1840	John M. Hansford.....	Judge 7th District.....	Resigned Jan. 19, 1842.
31, 1840	Richardson Scurry.....	Judge 6th District.....	Resigned March 7, 1841.
Feb. 7, 1840	John R. Reid.....	District Attorney 2nd District..	Resigned.
7, 1840	Patrick C. Jack.....	District Attorney 1st District..	Resigned May 7, 1840.
7, 1840	Wm. M. Williams.....	District Attorney 7th District..	Resigned Dec. 21, 1841.
7, 1840	James Armstrong.....	District Attorney 6th District..	Resigned Oct. 5, 1841.
7, 1840	John D. Morris.....	District Attorney 4th District..	
27, 1840	H. C. Hudson.....	District Attorney 3rd District..	Rejected Nov., 1840.
Mar. 24, 1840	E. M. Pease.....	District Attorney 2nd District..	Declined to accept.
May 12, 1840	Wm. F. Henderson.....	District Attorney 5th District..	Rejected Nov. 16, 1840.
June 1, 1840	John R. Reid.....	District Attorney 1st District..	Acted from 7th of May until commissioned. Resigned Oct. 16, 1840.
July 13, 1840	H. P. Brewster.....	District Attorney 2nd District..	Resigned Oct. 14, 1841.
Aug. 12, 1840	Geo. W. Terrell.....	Judge 5th District.....	
Nov. 17, 1840	Henry J. Jewett.....	District Attorney 3rd District..	Confirmed Nov. 16.
Dec. 2, 1840	Wm. Fairfax Gray.....	District Attorney 1st District..	Died April 17, 1841.
Jan. 7, 1841	R. E. B. Baylor.....	Judge 3rd District.....	Resigned Jan. 23, 1842.
	Anderson Hutchinson.....	Judge 4th District.....	
	Geo. W. Terrell.....	Judge 5th District.....	Elected Jan. 3, 1841.
Feb. 1, 1841	Thomas Johnson.....	Judge 1st District.....	Resigned Jan. 1, 1842.
5, 1841	W. R. Scurry.....	District Attorney 5th District..	Resigned Sept. 9, 1841.
Mar. 15, 1841	Patrick C. Jack.....	Judge 6th District.....	
Apr. 24, 1841	Peter W. Gray.....	District Attorney 1st District..	
Sept. 18, 1841	Richard Morris.....	Judge 1st District.....	
Nov. 11, 1841	Peter McGreal.....	District Attorney 2nd District..	
Jan. 4, 1842	W. B. Ochiltree.....	Judge 5th District.....	
6, 1842	Patrick C. Jack.....	Judge 6th District.....	
6, 1842	Richard Morris.....	Judge 1st District.....	
20, 1842	John T. Mills.....	Judge 7th District.....	
24, 1842	John Hemphill.....	Chief Justice Supreme Court...	
24, 1842	R. E. B. Baylor.....	Judge 3rd District.....	
15, 1842	Peter W. Gray.....	District Attorney 1st District..	
15, 1842	Peter McGreal.....	District Attorney 2nd District..	
15, 1842	J. M. Ogden.....	District Attorney 3rd District..	
15, 1842	O. W. Peterson.....	District Attorney 4th District..	
15, 1842	R. T. Wheeler.....	District Attorney 5th District..	
15, 1842	Jesse Benton, Jr.....	District Attorney 7th District..	
Feb. 5, 1842	Wm. Jeff. Jones.....	Judge 2nd District.....	
2, 1842	Henry W. Sublett.....	District Attorney 6th District..	
July 28, 1842	James Tabor.....	District Attorney 5th District..	
Jan. 9, 1843	K. L. Anderson.....	District Attorney 5th District..	Resigned Dec. 18, 1843.
Apr. 6, 1843	John D. Anderson.....	District Attorney 3rd District..	Resigned Sept. 27, 1843.
18, 1843	Peter McGreal.....	District Attorney 1st District..	
June 14, 1843	Andrew Neill.....	District Attorney 2nd District..	
Apr. 7, 1843	Peter W. Gray.....	District Attorney 6th District..	
Feb. 6, 1844	F. H. Merriman.....	District Attorney 1st District..	
6, 1844	G. W. Brown.....	District Attorney 2nd District..	
5, 1844	Thos. Johnson.....	District Attorney 3rd District..	
5, 1844	John D. Anderson.....	District Attorney 4th District..	
6, 1844	O. M. Roberts.....	District Attorney 5th District..	

Date of Commission	Name.	Office.	Remarks.
6, 1844	P. W. Gray.....	District Attorney 6th District...	
5, 1844	Wm. C. Young.....	District Attorney 7th District...	
Apr. 1, 1844	Abner S. Lipscomb.....	District Attorney 1st District...	
Feb. 5, 1844	Wm. E. Jones.....	Judge 4th District.....	
	Jas. W. Henderson.....	District Attorney 6th District...	Not formally commis- sioned. Resigned August 18, 1844.
Sept. 23, 1844	Wm. H. Palmer.....	District Attorney 6th District...	
23, 1844	John B. Jones.....	Judge 1st District.....	
9, 1844	Milford P. Norton.....	Judge 6th District.....	Resigned Jan. 28, 1845.
Jan. 24, 1845	Wm. Byrne.....	District Attorney 2nd District...	
21, 1845	Thos. Newcomb.....	District Attorney 4th District...	
21, 1845	Geo. Quinan.....	District Attorney 1st District...	
2, 1845	Royall T. Wheeler.....	Judge 5th District.....	
Feb. 5, 1845	Milford P. Norton.....	Judge 6th District.....	
Jan. 1, 1845	John B. Jones.....	Judge 1st District.....	
Apr. 17, 1846	James Love.....	Judge 1st District.....	
17, 1846	Wm. E. Jones.....	Judge 2nd District.....	
17, 1846	R. E. B. Baylor.....	Judge 3rd District.....	
14, 1846	M. P. Norton.....	Judge 4th District.....	
14, 1846	O. M. Roberts.....	Judge 5th District.....	
Aug. 27, 1846	W. B. Ochiltree.....	Judge 6th District.....	Resigned Jan. 1, 1847.
Apr. 14, 1846	John B. Jones.....	Judge 7th District.....	Resigned Jan. 15, 1847.
14, 1846	John T. Mills.....	Judge 8th District.....	
Dec. 23, 1846	Amos Clark.....	Judge 6th District.....	To take effect Jan. 1, 1847.
Feb. 2, 1847	C. W. Buckley.....	Judge 7th District.....	
Apr. 13, 1846	Hiram Waller.....	District Attorney 1st District...	
13, 1846	J. A. Green.....	District Attorney 2nd District...	
13, 1846	Thos. Johnson.....	District Attorney 3rd District...	
13, 1846	C. W. Peterson.....	District Attorney 4th District...	
13, 1846	J. M. Ardrey.....	District Attorney 5th District...	Resigned April 13, 1847.
13, 1846	John McClarty.....	District Attorney 6th District...	Resigned Mar. 25, 1847.
13, 1846	Samuel D. Hay.....	District Attorney 7th District...	
13, 1846	Wm. C. Young.....	District Attorney 8th District...	
15, 1847	R. S. Walker.....	District Attorney 5th District...	Vice Ardrey.
Mar. 27, 1847	Thos. W. Shedd.....	District Attorney 6th District...	Vice McClarty.

The following were some of the provisions of "An Act establishing the jurisdiction and powers of the District Courts," approved December 22, 1836:

"SEC. 9. The judges holding the courts aforesaid, shall so alternate that no judge shall hold courts in the same circuit for two courts in succession, unless called on to do so by the judge, whose duty it may be to hold such circuit, on account of inability to attend.

"SEC. 10. All process heretofore issued for an amount of one hundred dollars or upwards, returnable to the courts of first instance, created by the laws of 1834, shall by the judge of said court, in each county, be returned to the first term of the district court of their counties, respectively. And any judge of the court of first instance, neglecting or refusing to comply with the provisions of this act shall be considered guilty of a high misdemeanor and on conviction before any court having cognizance of same, be fined in the sum of \$2,000; and shall, moreover, be liable in damages to the party aggrieved. And it shall be the duty of the judges of the first instance to transmit all causes now pending in their courts for a less amount than one hundred dollars to the respective magistrates, in whose district the defendants may reside, under the penalties above expressed.

"SEC. 15. Any party may appeal from any final judgment or decree of any district court during the term at which the judgment was rendered, to the Supreme Court, provided the amount in controversy amounts to \$300. \* \* \*

Act of December 24, 1838, "\* \* \* The alternation of the District Judges, as now provided for, shall, from and after the passage of this

act, be, and the same is, hereby repealed; and the judges shall only be required to alternate in case of the interest of either of the judges in any suit in his circuit, when such alternation shall be had by them in such manner as to suit the wishes and convenience of the judges."

In *John Morton vs. Gordon and Alley, Admsrs.*, decided at the January term, 1841, the Supreme Court declared unconstitutional the provision restricting appeals from the District Court to cases in which the amount in controversy was at least \$300, and announced that appeals lay from all final judgments and decrees pronounced in the District Court, no matter what the amount in controversy.

The Act of December 22, 1836, provided for no appeal to the Supreme Court in criminal cases by defendants. If district judges in the trial of a criminal cause were confronted with a "novel or difficult proposition of law" they were authorized by the act to certify the question, if they saw fit, to the Supreme Court, which was then required to pronounce whatever judgment or sentence should have been given in the District Court.

In *Republic of Texas vs. Laughlin*, January term, 1841, a case in which the district judge had pronounced no final judgment, but had certified a question and asked what judgment he should pronounce, the Supreme Court struck the question from its docket, saying that the district court must first pronounce final judgment or decree and then, if in doubt, certify same for correction.

At the January term, 1841, counsel for the Republic and the defendant, by mutual agreement, submitted an appeal from the District Court in the criminal case of *Republic of Texas vs. Thos. I. Smith*. In their decision the Supreme Court said that while agreement between counsel might cure errors in trial procedure, it was a recognized principle that it could not confer jurisdiction. The court then proceeded to first settle the question of jurisdiction and, in doing so, declared that, while the act establishing District Courts was silent on the subject, the Constitution and the act establishing the Supreme Court were not, and appeals lay from the District Court to the Supreme Court, *as a matter of right in all criminal causes of whatever grade* tried in the District Court. The court in another case decided that the law of December 22, 1836, merely provided another mode of bringing causes into the Supreme Court.

These decisions (well grounded and sound) established the appellate jurisdiction of the Supreme Court as unlimited in all causes, civil and criminal, tried in the District Court.

William Alexander in his "Digest of the Decisions of the Supreme Court of Texas," a volume dedicated by the author to Hon. Thomas J. Rusk, and published by T. & J. W. Johnson, law book sellers, No. 197 Chestnut street, Philadelphia, gives the following as the complexion of the Supreme Court up to the time of Wheeler and Lipscomb:

#### January Term, 1840.

##### JUDGES SITTING.

Hon. Thomas J. Rusk, Chief Justice.<sup>1</sup>

Hon. A. B. Shelby, Judge First District.

Hon. Wm. J. Jones, Judge Second District.

<sup>1</sup>Rusk died (by his own hand) at Nacogdoches, Texas, July 29, 1857.

Hon. John T. Mills, Judge Third District.  
Hon. John Hemphill, Judge Fourth District.  
James Webb, Attorney General.  
W. Fairfax Gray, Clerk.

**January Term, 1841.**

## JUDGES SITTING.

Hon. John Hemphill, Chief Justice.  
Hon. R. E. B. Baylor, Judge Third District.  
Hon. A. Hutchinson, Judge Fourth District.  
Hon. Geo. W. Terrell, Judge Fifth District.  
Hon. Richardson Scurry, Judge Sixth District.  
Hon. John M. Hansford, Judge Seventh District.  
James Webb, Attorney General.  
W. Fairfax Gray, Clerk.

**January Term, 1842.**

## JUDGES SITTING.

Hon. John Hemphill, Chief Justice.  
Hon. Richard Morris, Judge First District.  
Hon. R. E. B. Baylor, Judge Third District.  
Hon. A. Hutchinson, Judge Fourth District.  
Hon. W. B. Ochiltree, Judge Fifth District.  
Hon. Patrick C. Jack, Judge Sixth District.  
Hon. John T. Mills, Judge Seventh District.  
George W. Terrell, Attorney General.  
Thomas Green, Clerk.

**June Term, 1843.**

## JUDGES SITTING.

Hon. John Hemphill, Chief Justice.  
Hon. Richard Morris, Judge First District.  
Hon. R. E. B. Baylor, Judge Third District.  
Hon. W. B. Ochiltree, Judge Fifth District.  
Hon. Patrick C. Jack, Judge Sixth District.  
George W. Terrell, Attorney General.  
Thomas Green, Clerk.

**June Term, 1844.**

## JUDGES SITTING.

Hon. John Hemphill, Chief Justice.  
Hon. Richard Morris, Judge First District.  
Hon. Wm. J. Jones, Judge Second District.  
Hon. R. E. B. Baylor, Judge Third District.  
Hon. Wm. E. Jones, Judge Fourth District.  
Hon. W. B. Ochiltree, Judge Fifth District.  
Hon. Patrick C. Jack, Judge Sixth District.  
George W. Terrell, Attorney General.  
Thomas Green, Clerk.



**December Term, 1845.**

**JUDGES SITTING.**

Hon. John Hemphill, Chief Justice.  
 Hon. John B. Jones, Judge First District.  
 Hon. Wm. J. Jones, Judge Second District.  
 Hon. R. E. B. Baylor, Judge Third District.  
 Hon. Wm. E. Jones, Judge Fourth District.  
 Hon. R. T. Wheeler, Judge Fifth District.  
 Hon. M. P. Norton, Judge Sixth District.  
 Wm. B. Ochiltree, Attorney General.  
 Thomas Green, Clerk.

**Since the Organization of the State Government in 1846.**

**JUDGES SITTING.**

Hon. John Hemphill, Chief Justice.  
 Hon. R. T. Wheeler, and Hon. A. S. Lipscomb, Associate Justices.  
 John W. Harris, Andrew J. Hamilton (Acting), Ebenezer Allen,  
 Thomas J. Jennings, Attorney Generals (successively).

The following, taken from the Supreme Court Reports,<sup>1</sup> is the best review of the work done by the court during the period covered, that is to be procured from any source:

“SATURDAY MORNING, June 16, 1883.

“Court met pursuant to adjournment. Present: Hon. A. H. Willie, Chief Justice, and Associate Justices Stayton and West. Immediately upon the assembling of the court, the Hon. O. M. Roberts, ex-Chief Justice, presented in the name of the bar of Austin, to the Supreme Court, a portrait of Hon. John Hemphill, ex-Chief Justice.

“The remarks of Judge Roberts were responded to and the portrait received in the name of the court, by Chief Justice A. H. Willie.

“After which it was ordered by the court that these proceedings, the remarks of Hon. O. M. Roberts, and the reply thereto by Chief Justice Willie, be spread upon the minutes of the court, and that out of respect to the memory of ex-Chief Justice Hemphill court do adjourn until next Tuesday morning at ten o'clock.

**“THE PRESENTATION.**

“Ex-Chief Justice Roberts said:

“May it please the court:

“I appear, by the request of the bar of Austin, to present to you the portrait of the Hon. John Hemphill, formerly the Chief Justice of the Supreme Court of Texas, which they had painted, and which is now tendered on their behalf. It affords me pleasure to perform this service. His likeness, exhibited in this room, should inspire both the bench and the bar to imitate the wisdom displayed by him as Chief Justice of this court during the period of eighteen years. He, by his education, his patient industry, and his conservatism, was peculiarly fitted to fill his position as the head of this court in the great work of laying the foundations of, and of giving shape to, the jurisprudence of Texas during the early

<sup>1</sup>From Vol. 59 of the Supreme Court Reports.

period of its existence. The scope of rights and wrongs to be investigated and decided was very broad and various, embracing those arising under the Spanish civil law and laws of the Indies while Texas was a Spanish province; those under the laws of Mexico, and the State of Coahuila and Texas, and those under the Republic of Texas, in which the common law of England was adopted in 1840, and those under the laws of the State of Texas as part of the United States after 1845. Parts of all the systems of laws, in modified form, were retained and blended in one ever-changing body of laws to be passed upon. To consistently harmonize them required the calm, deliberate judgment, the extensive research, and the studious habits which characterized his whole life while on the bench.

"In this he was greatly aided by his early associates, Justices Lipscomb and Wheeler. They were both able jurists, though very different in their habits of thought on legal questions and in their mental organization, that led to differences in their conclusions, which often called into requisition the conciliatory influence of the Chief Justice.

"As in other new countries, the statutes enacted in Texas were often crude in structure, and the acquisition of rights under the laws was attended with many irregularities. These things required extensive and accurate knowledge of the habits and pursuits of the people of Texas through a long series of years, combined with a politic conservatism on the part of the court of last resort, to prevent the continual unsettling of rights long deemed secure. This marks the course of the Chief Justice, generally sustained by a majority of the court. The favorite subjects selected for his own investigations were those arising under the institutions and laws of Spain and Mexico, for which he was well qualified by his knowledge of the Spanish language; under the laws relating to marital rights, to marriage and divorce; to homestead rights, and to other exemptions from executions. With most of these subjects the lawyers of the State were least familiar, and authorities upon them were not generally accessible.

"He was one of the few judges that have been on the supreme bench who gave very especial attention to the literary excellence of his written opinions. In consequence of this, and on account of the great care and deliberation given to his subjects, he did not deliver as many opinions as either of his associates, he not having delivered more than about five hundred in the eighteen years during which he was Chief Justice, from 1841 to 1858.

"He presided in court with a rather austere dignity, and gave to those addressing the court a respectful and silent attention, rarely ever asking a question of the counsel in the case being presented. When he spoke at all on the bench, his words were few and his manner positive. In his intercourse with the members of the bar he preserved a reserved dignity that, though hardly repulsive, did not invite familiarity; yet he was a man of kindly and friendly disposition generally, with remarkable uniformity in his manners and general bearing. It may be said of him that during a long period of public service he was known to his fellow citizens generally only by his public acts in the service of the State to which he earnestly devoted his life. When, after his health had been impaired by his recluse habits of study and arduous labors, he was elected to the Senate of the United States, he left his long-occupied seat on the bench with evident regret, to enter the political arena at a stormy period not in ac-

cord with his serene habits of thought and action; but his State called him to that station, and he answered the call.

"He spent a solitary life, without a wife and without relatives, in the State of his adoption, whose prosperity and greatness he loved and worked to achieve. It is due to him, in commemoration of his usefulness and devotion to Texas, that his remains should, as they do, rest in the State cemetery, with a modest and becoming monument marking the spot where he lies, and that this likeness of him should be suspended in the room of the Supreme Court, where his presence always commanded the respect due to his exalted position as the Chief Justice.'

#### "THE RESPONSE.

"Chief Justice A. H. Willie said:

"Speaking in behalf of the court, I return thanks for the portrait of the departed Chief Justice, which has been presented in so appropriate a manner by the only living person who sat with him as a colleague upon the bench of this court.

"\* \* \* Judge Hemphill became Chief Justice of the Supreme Court of Texas before it ceased to be a republic, and, when admitted into the American Union, he was the first appointed to that position, and from thence held it continuously for thirteen years, when he resigned to take a seat in the United States Senate, at the unanimous call of the Legislature of the State. He was the only connecting link that bound the Supreme Court of the State to that of the noble little republic which, constantly at war, administered its laws in the midst of alarms; where judges held courts when the attacks of the enemy were imminent, and the fear of capture and imprisonment was sometimes realized.<sup>1</sup>

"Texas, when struggling for an existence, was as blessed in the judiciary that interpreted and enforced her laws as she was in the men who sat in her councils and provided measures for her government, and the brave soldiers who bore her banners to victory. Whilst, as has been said, our laws were complicated, and the difficult questions arising under them had to be solved by a resort to various and conflicting systems of jurisprudence—some of them in foreign languages—we were almost without books to assist in the investigation of these questions, or the means of providing for the comfort of those whose duty it was to decide upon our rights. Under these circumstances the first Supreme Court organized

<sup>1</sup>September 11, 1842, San Antonio was entered by a Mexican force under General Adrian Woll, and the district judge, Hon. Anderson Hutchinson, the lawyers in attendance on the court (then in session) and several citizens were captured. These and the Mier prisoners were finally confined in the strongly fortified castle of San Carlos, at Perote, about one hundred and fifty miles from the City of Mexico, on the road to Vera Cruz. All the prisoners then at Perote (104 in number) were released by Santa Anna September 16, 1844, in obedience (it was currently reported) to a promise exacted from him by his dying wife. Several had died, some had escaped, and others had been released at the intercession of powerful friends. The following is a list of the court prisoners and a statement of the manner in which the survivors were restored to their country and friends:

Escaped July 22, 1843: Richard Barclay, John Dalrymple, John Forester, and John Twohig. Released at the request of General Waddy Thompson, of South Carolina, United States Minister to Mexico, and kinsman of Maverick; Judge Hutchinson, Wm. E. Jones and Samuel A. Maverick. Released at the request

and entered upon their duties. Upon them devolved the duty of correctly interpreting the various and contradictory laws that were in force; to bring order out of confusion, and build up a system for the future regulation of the courts of this State. The task was a difficult one, but the judges selected were equal to it in all respects. Hemphill, Lipscomb, and Wheeler—names ever to be revered by the bar and the people, and by every admirer of what is great and true in the lawyer and the man—brought to the performance of these duties minds highly endowed by nature and improved by education. They were possessed of a store of well-digested legal learning and unwearied industry, a deep sense of the responsibilities of their position and of a desire to do justice between man and man, always a guiding principle in their decisions. These judges constructed a fabric which has ever since been the admiration of the bar and of the courts of our State, and they have left but little for their successors to do, in this respect, but preserve that fabric in all its original symmetry.

“Of that splendid trio no one contributed more towards this end than their presiding officer, the subject of these remarks. The product of his labors in the first twenty volumes of our reports exhibits a succession of faultless opinions, few of which have ever been questioned by his successors, and in the reading of which one scarcely knows which most to admire, the force of the reasoning or the beautiful language in which it is clothed.

“\* \* \* The student of Judge Hemphill’s opinions cannot fail to conclude that in exploring the ocean of legal lore his search was for two pearls to be found in its depths: truth and justice—truth in arriving at correct principles, and justice in applying them so as to decide according to the very right of the case before him.

“\* \* \* Texas owes a debt of gratitude to the noble men who led her armies to victory, when victory meant freedom, and defeat enslavement, and perhaps butchery. She should forever cherish within her heart of hearts the memory of the soldiers who breasted the storms of battle in her behalf, whether waged by Mexican or by savage. \* \* \* But she owes much, also, to the men who, in civil life, or on the judicial bench, in her earlier days, sustained the cause of justice and of right, and helped to perpetuate the liberties her volunteers had so nobly won. They, too, should be held in grateful remembrance. Their deeds, though less shining, should be cherished for the solid benefits derived from them. The bays that crown their temples for victories achieved in peace

of General Andrew Jackson: John M. Bradley. Released by Santa Anna, prior to September 16, 1844: James W. Robinson and Samuel Norvell. Escaped prior to that date: Andrew Neill, George Van Ness, George Hatch, and —Morgan. Released September 16, 1844: Isaac Allen, D. J. Davis, Augustus Elley, John Young, D. C. Ogden, A. H. Alsbury, T. B. Beck, Edward Brown, James H. Brown, Wm. Bugg, Ludovic Colquhoun, Chauncey Johnson, Johnson Lehman, A. J. Leslie, A. H. Monell, J. C. Morgan, Francis McCay, Robert S. Neighbors, S. L. Nobles, John Perry, C. W. Peterson, M. L. B. Raper, George Schaeffer, John Smith, John L. Trueheart, and J. G. A. Goss. Died in prison: Dr. Shields Booker, —Crews, John R. Cunningham, French Strother Gray, —Jackson, John Trapnell, and “Trecolote” Trimble.

When captured Maverick was an alderman of the city of San Antonio, and member-elect, from Bexar county, to the Seventh Congress. December 2, 1842, the President issued a proclamation for an election, to be held December 17th, to fill the vacancy in Congress thereby occasioned.

\* \* \* and the garlands we lay upon their tombs, are as well earned as the laurels and pale flowers that

“Deck the hero’s bier,  
Or bind his brow.”

“\* \* \* The portrait will be hung on the walls of the court room, where is already placed the likeness of his colleague, Judge Lipscomb. We hope that the day is not far distant when a portrait of Judge Wheeler will complete the gallery.<sup>1</sup>

“With the likenesses of these eminent authors of our judicial system ever present and seemingly looking down and encouraging our labors, may we emulate and be inspired by their example and contribute towards perpetuating the system they so wisely inaugurated. \* \* \*”

## SUPREME COURT, STATE.

	Appointed, Confirmed, or Elected.	Remarks.
John Hemphill, <sup>2</sup> Chief Justice.....	Mar. 2, 1846	
Abner S. Lipscomb, Associate Justice..	Mar. 2, 1846	
Royall T. Wheeler, Associate Justice..	Mar. 2, 1846	
John Hemphill, Chief Justice.....	Aug. 4, 1851	Died at Richmond, Va., in January, 1862. Buried in State Cemetery at Austin.
Abner S. Lipscomb, Associate Justice..	Aug. 4, 1851	
Royall T. Wheeler, Associate Justice..	Aug. 4, 1851	
John Hemphill, Chief Justice.....	Aug. 4, 1856	Resigned.
Abner S. Lipscomb, Associate Justice..	Aug. 4, 1856	Died December 8, 1856, during the session of the court at Austin. Rendered a decision the day preceding his death.
Royall T. Wheeler, Associate Justice..	Aug. 4, 1856	

<sup>1</sup>It has since been added.

The Constitution of 1845 provided that the Supreme Court should consist of a Chief Justice and two Associate Justices, nominated by the Governor and appointed by him with the “advice and consent of two-thirds of the Senate” [Judges of the District Court were appointed in the same manner.]; that the term of office of the judges of the Supreme Court should be six years; and that the court should be in session “every year, between the months of October and June, inclusive, at not more than three places in the State.”

Section 3, Article 4, of the Constitution, provided: “The Supreme Court shall have appellate jurisdiction only, which shall be co-extensive with the limits of the State, but in criminal cases and in appeals from interlocutory judgments, with such exceptions and under such regulations as the Legislature shall make \* \* \*.”

The First Legislature passed an act, approved May 13, 1846, regulating appeals to the Supreme Court in criminal cases. Section 1 of the act contained the following: “\* \* \* the defendant to any indictment or prosecution for any criminal offense in the District Courts of this State shall have the right of appeal to the Supreme Court, except in cases of contempt of court.”

An amendment to the Constitution, approved January 16, 1850, provided that “judges of the Supreme Court, judges of the District Courts, Attorney General, District Attorneys, Comptroller of Public Accounts, Treasurer of the State, and the Commissioner of the General Land Office shall, at the expiration of their respective terms of office \* \* \* thereafter be elected by the qualified voters of the State \* \* \*.”

## SUPREME COURT, STATE—continued.

	Appointed, Confirmed, or Elected.	Remarks.
O. M. Roberts, <sup>1</sup> Associate Justice.....	Feb. 2, 1857	Qualified April 13, 1857.
Royall T. Wheeler, Chief Justice.....	Aug. 2, 1858	Died April, 1864.
James H. Bell, Associate Justice.....	Aug. 2, 1858	Bell was elected as an independent. In later days (during reconstruction times) he was a prominent republic- can.
Geo. F. Moore, Associate Justice. ....	Aug. 4, 1862	
O. M. Roberts, <sup>2</sup> Chief Justice.....	Aug. 1, 1864	Vice Wheeler (deceased).
Reuben A. Reeves, Associate Justice...	Aug. 1, 1864	Vice Bell (term expired).
Geo. F. Moore, <sup>3</sup> Chief Justice.....	June 25, 1866	Removed Sept. 10, 1867, by Gen. Griffin.
Richard Coke, Associate Justice.....	June 25, 1866	Removed Sept. 10, 1867, by Gen. Griffin.
S. P. Donley, Associate Justice.....	June 25, 1866	Removed Sept. 10, 1867, by Gen. Griffin.
Asa H. Willie, Associate Justice.....	June 25, 1866	Removed Sept. 10, 1867, by Gen. Griffin.
Geo. W. Smith, Associate Justice.....	June 25, 1866	Removed Sept. 10, 1867, by Gen. Griffin.
E. J. Davis, Chief Justice.....	Sept. 10, 1867	Appointed by Griffin. Refused to ac- cept.
C. Caldwell, Associate Justice.....	Sept. 10, 1867	Appointed by Griffin. Removed Oct. 3, 1869.
Livingston Lindsay, Associate Justice	Sept. 10, 1867	Appointed by Griffin.
A. H. Latimer, Associate Justice.....	Sept. 10, 1867	Appointed by Griffin. Resigned Nov. 30, 1869.
Amos Morrill, Chief Justice.....	Sept. 18, 1867	Appointed by Griffin.
A. J. Hamilton, Associate Justice.....	Nov. 7, 1867	Appointed by Major General J. J. Reynolds. Resigned Oct. 1, 1869.
Moses B. Walker, Associate Justice....	Dec. 1, 1869	Vice Latimer.
James Denison, Associate Justice.....	Jan. 23, 1870	Appointed by Reynolds.
C. B. Sabin, Associate Justice.....	Jan. 19, 1870	Appointed by Reynolds.
The above military appointees were superseded by the three following, appointed by Governor Davis, under the Constitution of 1869:		
Wesley Ogden, Chief Justice <sup>4</sup> .....	July 5, 1870	Died June 16, 1896.
M. B. Walker, Associate Justice.....	July 5, 1870	
Lemuel Dale Evans, Associate Justice	July 5, 1870	

<sup>1</sup>Proclamation by the Governor of the State of Texas: Whereas, a vacancy has occurred in the office of Associate Justice of the Supreme Court, by the death of Hon. Abner S. Lipscomb, now, therefore, by virtue of the authority vested in me by the Constitution and laws, I, E. M. Pease, Governor of the State of Texas, do hereby order that an election be held in the several counties of the State on the first Monday, the second day, of February, 1857, to fill said vacancy. The Chief Justices of the several counties, or, in case the office of Chief Justice is vacant, or he shall be absent from the county or unable to discharge the duties, then any two of the County Commissioners will cause said election to be held and returns thereof to be made to the office of Secretary of State according to law.

In testimony whereof, I have hereunto signed my name and caused the great seal of the State to be affixed at the city of Austin this, the seventeenth day of December, A. D. 1856, and of the Independence of Texas the twenty-first year.

By the Governor.

E. M. PEASE.

BIRD HOLLAND,

Actg. Sec'y of State.

The election above provided for was held on the day appointed, with the result that 2,153 votes were cast for O. M. Roberts, 932 for Peter W. Gray, 313 for Thomas J. Jennings, 286 for B. C. Franklin, and 35 for John Taylor; majority for Roberts, 587.

<sup>2</sup>The Constitution of 1861 made no changes in the terms of the judiciary article of the Constitution of 1845.

<sup>3</sup>The Constitution of 1866 provided that the Supreme Court should consist of five justices, elected by the people, and who should choose from among their own number a presiding officer, to be styled Chief Justice. This Constitution never became operative. The judges held on as "tenants by sufferance" for a time, and were then superseded by military appointees.

<sup>4</sup>Article 5, Section 2, Constitution 1869: "The Supreme Court shall consist of three judges, \* \* \* appointed by the Governor, by and with the advice and consent of the Senate, for a term of nine years." "But the judges first

## SUPREME COURT, STATE—continued.

	Appointed, Confirmed, or Elected.	Remarks.
J. D. McAdoo, Associate Justice .....	Aug. 30, 1873	Vice Evans, resigned. McAdoo resigned Jan. 16, 1874. Ogden and Walker served until superseded by Gov. Coke's appointees.
O. M. Roberts, Chief Justice <sup>1</sup> .....	Jan. 29, 1874	Appointed by Gov. Coke.
Thos. J. Devine, Associate Justice .....	Jan. 29, 1874	Appointed by Gov. Coke.
Reuben A. Reeves, Associate Justice .....	Jan. 30, 1874	Appointed by Gov. Coke.
W. P. Ballinger, Associate Justice .....	Feb. 3, 1874	Appointed by Gov. Coke.
Geo. F. Moore, Associate Justice .....	Feb. 9, 1874	Appointed by Gov. Coke.
		Judge Ballinger was commissioned Feb. 3, 1874, and resigned the same day. Judge Devine resigned Sept. 2, 1875.
Peter W. Gray, Associate Justice .....	Feb. 11, 1874	To succeed Ballinger. Commissioned Feb. 11, 1874; resigned April 18, 1874.
Robert S. Gould, Associate Justice .....	May 5, 1874	To succeed Gray.
John Ireland, Associate Justice .....	Sept. 2, 1875	To succeed Devine. Elected under the Constitution of 1876.
		To the third Tuesday in April, 1876, after changes noted above, the court consisted of O. M. Roberts, Chief Justice, and Reeves, Moore, Gould and Ireland, Associate Justices.
O. M. Roberts, Chief Justice <sup>2</sup> .....	Feb. 15, 1876	Commissioned 3rd Tuesday in April, 1876.
Geo. F. Moore, Associate Justice .....	Feb. 15, 1876	Commissioned 3rd Tuesday in April, 1876.
R. S. Gould, Associate Justice .....	Feb. 15, 1876	Commissioned 3rd Tuesday in April, 1876.
		Having received the democratic nomination for Governor, Roberts resigned the position of Chief Justice prior to the Tyler term in 1878.
Geo. F. Moore, Chief Justice .....	Sept. 25, 1878	Appointed by Gov. Hubbard to fill vacancy caused by resignation of Chief Justice Roberts, appointment to take effect Oct. 1, 1878.
M. H. Bonner, Associate Justice .....	Sept. 25, 1878	Appointed by Gov. Hubbard, appointment to take effect Oct. 1, 1878, to fill vacancy caused by elevation of Moore to Chief Justice. Elected in Nov., 1878, by a very large majority.
Geo. F. Moore, Chief Justice .....	Nov. 5, 1878	Elected at general election; commissioned Jan. 4, 1879; resigned Nov. 1, 1881.
Robert S. Gould, Chief Justice .....	Nov. 1, 1881	Appointed by Gov. Roberts.
John W. Stayton, Associate Justice .....	Nov. 1, 1881	Vice Gould, elevated to Chief Justice.
A. H. Willie, Chief Justice .....	Nov. 7, 1882	Resigned; to take effect March 3, 1886.
C. S. West, Associate Justice .....	Nov. 7, 1882	Resigned; to take effect Sept. 29, 1885.

appointed under this Constitution," says the amendment, "shall be so classified by lot that the term of one of them shall expire every three years. The judge whose term shall soonest expire shall be the presiding judge."

Section 3: "The Supreme Court shall have appellate jurisdiction only, which, in civil cases, shall be co-extensive with the limits of the State. In criminal causes no appeal shall be allowed to the Supreme Court unless some judge thereof shall, upon inspecting a transcript of the record, believe that some error of law has been committed by the judge before whom the cause was tried. \* \* \*"

Section 4: "The Supreme Court shall hold its sessions annually at the capital of the State."

<sup>1</sup>An amendment adopted at the general election held December 2, 1873, provided that the court should consist of a Chief Justice and four Associate Justices (appointed by the Governor and confirmed by the Senate), for a term of nine years, and that the court should hold its sessions "at the capital, and two other places in the State." This amendment gave the newly elected Governor, Richard Coke, power to turn out the members of the Radical "Semi-Colon Court" and appoint Democrats in their stead, and, as seen above, he promptly availed himself of it.

<sup>2</sup>Article 5, Section 25, Constitution, 1876: "The Supreme Court shall have power to make rules and regulations for the government of said court, and the other courts of the State, to regulate proceedings and expedite the dispatch of business therein."

## SUPREME COURT, STATE—continued.

	Appointed, Confirmed, or Elected.	Remarks.
John W. Stayton, Associate Justice.....	Nov. 7, 1882	
Sawnie Robertson, Associate Justice....	Oct. 6, 1885	Appointed vice West.
R. R. Gaines, Associate Justice.....	Aug. 19, 1886	Appointed to take effect Sept. 1, 1886, to fill vacancy caused by resignation of Robertson.
R. R. Gaines, Associate Justice.....	Nov. 2, 1886	Elected.
John W. Stayton, Chief Justice.....	Mar. 3, 1888	Appointed to fill vacancy caused by resignation of Asa H. Willie.
A. S. Walker, Associate Justice.....	Apr. 4, 1888	Appointed to fill vacancy caused by the promotion of Stayton to the office of Chief Justice.
John W. Stayton, Chief Justice.....	Nov. 6, 1888	Elected. Died July 5, 1894.
R. R. Gaines, Associate Justice.....	Nov. 6, 1888	
J. L. Henry, Associate Justice.....	Nov. 6, 1888	Resigned May 31, 1893.
Thomas J. Brown, Associate Justice....	May 31, 1893	Appointed, vice Henry, resigned.
R. R. Gaines, Chief Justice.....	July 9, 1894	Appointed, vice Stayton, deceased; qualified July 10, 1894; commissioned July 12, 1894.
Leroy G. Denman, Associate Justice....	July 9, 1894	Appointed to fill vacancy caused by elevation of Gaines.
R. R. Gaines, Chief Justice.....	Nov. 6, 1894	Elected. Drew term of six years.
Thomas J. Brown, Associate Justice....	Nov. 6, 1894	Elected. Drew term of four years.
Leroy G. Denman, Associate Justice....	Nov. 6, 1894	Elected. Drew term of two years.
Leroy G. Denman, Associate Justice....	Nov. 3, 1896	Elected for full term of six years. Resigned May 1, 1899.
Thomas J. Brown, Associate Justice....	Nov. 8, 1898	Elected for full term of six years.
F. A. Williams, Associate Justice.....	May 9, 1899	Appointed, vice Denman, to fill vacancy until next general election.
R. R. Gaines, Chief Justice.....	Nov. 6, 1900	
F. A. Williams.....	Nov. 6, 1900	

Volumes of the Supreme Court Reports in which the opinions of the court (as variously constituted) are contained:

Hemphill, Chief Justice, and Lipscomb and Wheeler, Associate Justices, Volumes 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16 and 17; Hemphill, Chief Justice, and Wheeler, Associate Justice, Volume 18 (Volume 17 contains the proceedings of the bar at Austin, and of the court, upon the death of Justice Lipscomb, and Volume 18 a sketch of his life); Hemphill, Chief Justice, and Wheeler and Roberts, Associate Justices, Volumes 19, 20 and 21; Wheeler, Chief Justice, and O. M. Roberts and James H. Bell, Associate Justices, Volumes 22, 23, 24, 25; Wheeler, Chief Justice, and James H. Bell and George F. Moore, Asso-

The Constitution of 1876 provides that the court shall consist of a chief justice and two associate justices, elected by the people, and who shall hold office for six years and be eligible for re-election.

Art. 5, Sec. 2, Constitution of 1876. " \* \* \* In case of a vacancy in the office of chief justice or associate justice of the Supreme Court, the Governor shall fill the vacancy until the next general election of State officers. \* \* \* "

Sec. 3. " \* \* \* The Supreme Court shall sit for the transaction of business from the first Monday in October until the last Saturday in June of every year, at the seat of government and at not more than two other places in the State." The two other places selected were Galveston and Tyler. An amendment to the Constitution of 1876, declared adopted September 22, 1891, provides that the court shall sit at the capital only, and be in session from the first Monday in October of each year until the last Saturday in June of the next year." This amendment created the Court of Civil Appeals.

Section 2 of the Constitution as amended provides that the Supreme Court's appellate jurisdiction shall extend "to questions of law arising in cases of which the Court of Civil Appeals have appellate jurisdiction under such restrictions and regulations as the Legislature may prescribe. \* \* \* " Said section further provides that the court and the justices thereof shall have power to issue writs of habeas corpus, mandamus, procedendo, certiorari, and such other writs



ciate Justices, Volumes 26, 27; George F. Moore, Chief Justice, and Richard Coke, S. P. Donley, Asa H. Willie and George W. Smith, Associate Justices, Volumes 28 and 29 and that part of Volume 30 covering the Tyler term in 1867; Amos Morrill, Chief Justice, and Livingston Lindsay, Albert H. Latimer, Colbert Caldwell and Andrew J. Hamilton, Associate Justices (appointed September 10, 1867, with the exception of Hamilton, who was appointed November 7, 1867), that part of Volume 30 covering the Austin sessions of 1867 and the Galveston session of 1868, Volume 31, and that part of Volume 32 covering the Tyler session of 1869; Amos Morrill, Chief Justice, and Lindsay, Latimer, Caldwell and Moses B. Walker, Associate Justices, that part of Volume 32 covering the Austin session of 1869; Morrill, Chief Justice, and Lindsay, Walker and Denison, Associate Justices, that part of Volume 32 covering the Galveston session of 1870, and Volume 33; Lemuel Dale Evans, Presiding Judge, and Wesley Ogden and M. B. Walker, Associate Judges, Volumes 34, 35, 36, 37 and part of Volume 38; Wesley Ogden, Presiding Judge, and M. B. Walker and J. D. McAdoo, part of Volume 38, and Volume 39; O. M. Roberts, Chief Justice, and Reuben A. Reeves, Thos. J. Devine, Geo. F. Moore, and William P. Ballinger, Associate Justices, Volume 40; of the same court as constituted, with Peter W. Gray in the place of Ballinger (resigned), Volume 40; the same court, after Robt. S. Gould succeeded Peter W. Gray as Associate Justice, Volumes 40, 41, 42 and 43; O. M. Roberts, Chief Justice, and Reuben A. Reeves, Thos. J. Devine, Geo. F. Moore and John Ireland, Volume 44 and that part of Volume 45 extending to the third Tuesday in April, 1876; O. M. Roberts, Chief Justice, and George F. Moore and Robert S. Gould, Associate Justices, that part of Volume 45 covering the period after the third Tuesday in April, 1876, Volumes 46, 47, 48 and 49; George F. Moore, Chief Justice, and Robert S. Gould and M. H. Bonner, Associate Justices, Volumes 50, 51, 52, 53, 54 and 55; Robert S. Gould, Chief Justice, and M. H. Bonner and John W. Stayton, Associate Justices, Volume 56 and to page 234, Volume 57; Asa H. Willie, Chief Justice, and John W. Stayton and Charles S. West, from page 234 to end of Volume 57, and Volumes 58, 59, 60, 61, 62, 63 and that part of Volume 64 covering the Austin term of 1885; Asa H. Willie, Chief Justice, and

as may be necessary to enforce its jurisdiction "under such regulations as may be prescribed by law." Also that "the Legislature may confer original jurisdiction on the Supreme Court to issue writs of quo warranto and mandamus in such cases as may be specified, except as against the Governor of the State," and that the court shall have power "upon affidavit or otherwise, as by the court may be determined, to ascertain such matters of fact as may be necessary to the proper exercise of its jurisdiction."

The Supreme Court was divested of criminal jurisdiction by the Constitution of 1876, which, by Section 5 of Article 5, created a Court of Appeals, which was constituted the court of last resort in criminal causes.

With the growth of the State in wealth and population, the civil business of the Supreme Court grew to such proportions as to demand that it be relieved of part of the labor. This led to the establishment of a Commission of Appeals and finally to the five Courts of Civil Appeals that now exist. The original Court of Appeals has been changed to the Court of Criminal Appeals. Under the Constitution of 1836 and laws passed thereunder, the Supreme Court held its sessions at the seat of government; under the Constitution of 1861 at Austin, Galveston, and Tyler; under the Constitution of 1869, at Austin; under the amendment of December 2, 1873, to the Constitution of 1869 at Austin, Galveston, and Tyler, and under the Constitution of 1876, at Austin, Galveston, and Tyler, until the amendment of September 22, 1891, fixed the court permanently at Austin.

John W. Stayton and Sawnie Robertson, Associate Justices, that part of Volume 64 covering the Tyler term of 1885, and Volume 65; Asa H. Willie, Chief Justice, and John W. Stayton and R. R. Gaines, Associate Justices, Volumes 66, 67, 68 and 69; John W. Stayton, Chief Justice, and R. R. Gaines and A. S. Walker, Associate Justices, Volumes 70, 71, and that part of Volume 72 extending to January 1, 1889; John W. Stayton, Chief Justice, and R. R. Gaines and J. L. Henry, Associate Justices, that part of Volume 72 covering the period after January 1, 1889, and Volumes 73, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84 and 86; John W. Stayton, Chief Justice, and R. R. Gaines and Thomas J. Brown, Associate Justices, Volume 86; R. R. Gaines, Chief Justice, and Thomas J. Brown and Leroy G. Denman, Volume 87, 88, 89, 90, 91 and part of 92; R. R. Gaines, Chief Justice, and Thomas J. Brown and Frank A. Williams, Associate Justices, Volume 92 to date.

Clerks of the Supreme Court: Wm. Fairfax Gray, 1840-1841, and Tom Green (afterwards the famous Confederate general), 1841-1861, were the first clerks of the court. James F. Johnson was appointed clerk by the court November 13, 1861, and served through the war period. November 15, 1864, H. S. Morgan was appointed clerk at Austin, Charles Rosignol at Galveston, and Thomas Smith at Tyler. Under the Constitution of 1866 F. W. G. Brown was appointed clerk at Austin, W. F. Jarrett at Galveston, and Thomas Smith at Tyler. They were removed in September, 1867, with the court. Geo. H. Gray was appointed clerk at Austin, October 22, 1867, and George W. Honey at Galveston, November 12, 1867 (later resigned, and was succeeded by James B. Shearer), E. M. Wheelock was appointed clerk at Austin, October 25, 1869, and removed December 6, 1869. W. P. DeNormandie was appointed Wheelock's successor, December 6, 1869, and served until the time of his death in November, 1881. Dr. Charles S. Morse was appointed to succeed DeNormandie, December 1, 1881.

N. J. Moore was clerk at Galveston from 1877 to 1881, and Daniel B. Atchison from 1881 until the sittings of the court were restricted to Austin. Thomas Smith was clerk at Tyler in 1867; George H. Slaughter in 1868-1869; Wm. P. DeNormandie in 1870; and S. D. Reaves from 1878 until the sittings of the court were restricted to Austin.

Reporters of the Supreme Court: J. Willmer Dallam (one volume) for the period of the Republic; James Webb and Thomas Duval, Volumes 1 to 3 (State), inclusive; O. C. and R. K. Hartley, Volumes 11 to 21, inclusive; George F. Moore and Richard S. Walker, Volumes 22 to 24, inclusive; Richard S. Walker, Volume 25; George W. Paschal, supplement to Volume 25; Charles M. Robards and A. M. Jackson, Volumes 26 to 27, inclusive; George W. Paschal, Volumes 28 to 31, inclusive; E. M. Wheelock, Volumes 32 to 37, inclusive; A. W. Terrell and A. S. Walker, Volumes 38 to 51, inclusive; A. W. Terrell, Volumes 52 to 71, inclusive; A. S. Walker, Volumes 72 to 88, inclusive; A. E. Wilkinson, Volume 89 to the present time.

Proceedings in memoriam in the Supreme Court on the death of Ex-Associate Justice Thomas J. Devine, which occurred at San Antonio, March 16, 1890, are in Volume 77 of the Court Reports; on the death of Ex-Associate Justice Sawnie Robertson, which occurred at Dallas, June 21, 1892, are in Volume 85; on the death of Ex-Chief Justice John W. Stayton, which occurred July 5, 1894, are in Volume 87; on

the death of Ex-Associate Justice John Ireland, which occurred at San Antonio, March 15, 1896, are in Volume 89; on the death of Ex-Chief Justice O. M. Roberts, which occurred at Austin, May 19, 1898, are in Volume 92; and on the death of Ex-Chief Justice Willie, which occurred March 16, 1899, are in Volume 92.

In presenting to the court, June 20, 1890, resolutions on the death of Judge Devine, prepared by members of the bar, Hon. A. W. Terrell said:

"\* \* \* I do not disparage the strength of this court at any period of its existence when I declare that Texas never had an abler bench than when Oran M. Roberts, Geo. F. Moore, Robert S. Gould, and Thos. J. Devine occupied it. \* \* \* Here in the days of our humiliation, when all seemed lost, and when old age was upon him, he labored with the zeal of early manhood to rebuild the broken altars of constitutional government and restore to the people the power to choose and install their own public servants."

In the court November 29, 1898, Judge Terrell, in presenting resolutions adopted by the bar, on the death of Judge Roberts, said:

"Though distinguished as Governor and educator, those who knew him best will prefer to remember him as the Judge. In the lottery of life high prizes are often appropriated by mediocrity, but judicial preferment is seldom secured by accident, and never long retained unless deserved. It was a kind Providence that shielded the youth of Judge Roberts from that wealth which breeds indolence and from the luxury that enervates. Like the great majority of the lord chancellors of England \* \* \* he achieved judicial distinction, under the spur of necessity. \* \* \* His opinions \* \* \* are expressed in language so clear and often with argument so convincing, that the lawyer scarcely knows which to most admire, the style of the writer or the wisdom of the jurist. \* \* \*"

April 24, 1899, Hon. R. S. Gould, as one of a committee appointed by the Galveston bar, presented resolutions on the death of Judge Willie. Replying to Judge Gould's remarks, Chief Justice Gaines said:

"Judge Willie was a conspicuous figure in the history of the jurisprudence of Texas. \* \* \* As Chief Justice he maintained the distinguished reputation he made as a lawyer and jurist. His opinions, thoroughly considered, carefully prepared, and happily expressed, exhibit the marks of a learned, discriminating, and well balanced judge. They are a fair and lasting monument to his memory. \* \* \*"

October 20, 1894, ex-Attorney General J. H. McLeary presented to the court resolutions on the death of Judge Stayton, adopted by the Texas Bar Association at Galveston, July 26, 1894. In the resolutions the following occurs: "When called to the Supreme Court of Texas, he came unheralded and, to many of the profession unknown, but it was soon made manifest that there had come from a quiet country town a lawyer in deed and in truth and, day by day and year by year, he grew and strengthened in the esteem and the affection of the bar and people; and when he reached the exalted position in which death found him, all men knew that it had never been more worthily filled and that never had the ermine fallen upon one more fit to wear it, nor who would more nobly sustain that lofty standard of judicial ability and integrity which, for nearly fifty years has characterized the Supreme Court of Texas."

Hon. R. S. Gould presented resolutions adopted by the Austin bar.

In responding to the addresses of McLeary and Gould, Chief Justice Gaines said:

"The sentiments expressed in the resolutions which have been presented and the remarks by which they have been accompanied meet our heartiest concurrence. \* \* \* Neither his character as a man nor his services and ability as a judge need any exaggerated portrayal. A faithful delineation is all sufficient to show a character for worth and ability which it is the fortune of but few men to leave behind them. \* \* \* Few judges have \* \* \* served a longer period upon the bench of this court, and none with more honor."

Justices of the Supreme Court are paid an annual salary of \$4,000, the Reporter \$3,000, and the clerk \$2,500. The clerk is allowed two deputies whose salaries are fixed by the court and who are paid out of the fees of the office. These deputies at present (1902) are F. T. Connerly,<sup>1</sup> and H. W. Hewlett.

## COURT OF APPEALS.<sup>2</sup>

(Created by the Constitution of 1876).

	Appointed.	Elected.	Remarks.
M. D. Ector, Presiding Judge.....	.....	Feb. 15, 1876	Died in October, 1879.
C. M. Winkler, Judge.....	.....	Feb. 15, 1876	Died May 13, 1882.
John P. White, Judge.....	.....	Feb. 15, 1876	
George Clark, Judge.....	Nov. 3, 1879	.....	Appointed to fill vacancy caused by the death of Ector. Clark resigned Oct. 1, 1880.
John P. White became presiding Judge on the death of Judge Ector in 1879.			
J. M. Hurt, Judge.....	Oct. 2, 1880	.....	To fill vacancy caused by the resignation of Clark.
J. M. Hurt, Judge.....	.....	Nov. 2, 1880	
Sam. A. Willson, Judge.....	May 18, 1882	.....	To succeed Winkler, deceased.
John P. White, Presiding Judge..	.....	Nov. 7, 1882	
Sam. A. Willson, Judge.....	.....	Nov. 7, 1882	
J. M. Hurt, Judge.....	.....	Nov. 7, 1882	
John P. White, Presiding Judge..	.....	Nov. 6, 1888	Resigned April 29, 1892.
Sam. A. Willson, Judge.....	.....	Nov. 6, 1888	Resigned Feb. 1, 1891.
J. M. Hurt, Judge.....	.....	Nov. 6, 1888	Elected by the court Presiding Judge May 4, 1892, on resignation of White.
W. L. Davidson, Judge.....	Feb. 5, 1891	.....	To succeed Sam. A. Willson.
E. J. Simkins, Judge.....	May 3, 1892	.....	To succeed John P. White.
W. L. Davidson, Judge.....	.....	Nov. 8, 1892	
E. J. Simkins, Judge.....	.....	Nov. 8, 1892	
J. M. Hurt, Presiding Judge.....	.....	Nov. 6, 1894	Drew four years.
W. L. Davidson, Judge.....	.....	Nov. 6, 1894	Drew two years.
John N. Henderson, Judge.....	.....	Nov. 6, 1894	Drew six years.
W. L. Davidson, Judge.....	.....	Nov. 3, 1896	
M. M. Brooks, Judge.....	.....	Nov. 8, 1898	To succeed Hurt, whose term would expire Dec. 31, 1898. W. L. Davidson was elected by the Court Presiding Judge January 2, 1899, and has since so continued.
John N. Henderson, Judge.....	.....	Nov. 6, 1900	

<sup>1</sup>Dr. Morse dying May 13, 1902, Mr. Connerly was appointed clerk of the Supreme Court May 15th, following.

<sup>2</sup>Art. 5, Sec. 5, Constitution of 1876. "The Court of Appeals shall consist of three judges \* \* \* elected by the qualified voters of the State. \* \* \* Said judges shall hold their offices for a term of six years."

Sec. 6. "The Court of Appeals shall have appellate jurisdiction \* \* \* in all criminal cases of whatever grade, and in all civil cases, unless hereafter otherwise provided by law, of which the county courts have original or appellate jurisdiction." Designation changed to Court of Criminal Appeals and its jurisdiction restricted to criminal causes by an amendment to the Constitution of 1876 adopted September 22, 1891.

Court convenes at Tyler first Monday in October; at Dallas, first Monday in January; at Austin, first Monday in April.

#### Clerks.

At Austin, in 1876, W. F. Faris; Galveston, Charles S. Morse; Tyler, Thomas Smith.

At Austin, in 1882, J. L. White; Galveston, H. A. Morse; Tyler, E. P. Smith.

At Austin, in 1888, Pete Walton; Galveston, H. A. Morse; Tyler, E. P. Smith.

At Austin, in 1896, E. P. Smith; Dallas, W. A. Hudson; Tyler, Ed. B. Wiggins.

At Austin, in 1901, E. P. Smith; Dallas, J. M. Gaston; Tyler, Ed. B. Wiggins.

The history of the Court of Appeals, as it is to be gathered from Reports, is as follows: Volume 1 states that the court at its organization consisted of M. D. Ector, Presiding Judge, and C. M. Winkler and John P. White, Associate Judges. H. H. Boone was Attorney General; Geo. McCormick, Assistant Attorney General; W. F. Faris, clerk of the court at Austin; Thomas Smith, clerk at Tyler; Charles S. Morse, clerk at Galveston; and A. M. Jackson and A. M. Jackson, Jr., Reporters.

"The Court of Appeals of the State of Texas," says the preface to this volume, "derives its origin and jurisdiction from the Constitution which was adopted by the convention of 1875, submitted and ratified by the people of the State at an election held on the third Tuesday of February, 1876. The ordinance of the convention submitting this Constitution to a vote of the people provided that, if ratified, it should, 'on the third Tuesday in April, 1876, become, and thereafter be, the organic and fundamental law of the State.' The election resulted in a vote of 136,606 in favor of ratification, and 56,652 against it. The new Constitution, therefore, took effect and became operative on Tuesday, April 18, 1876.

\* \* \* Legislation being found necessary to enable the court to organize and proceed with its business, 'an act organizing the Court of Appeals' was enacted by the Legislature and, on May 6, 1876, received the approval of the Governor. Containing an emergency clause, it took effect the same day. \* \* \* Section 8 empowered the judges of the Court of Appeals to choose a presiding judge from their number.

"The ordinance of the convention of 1875 provided not only for an election upon the adoption or rejection of the new Constitution, but also for the election, at the same time, of all officers made elective by its provisions.

"Without opposition, and by a popular vote considerably greater than that in favor of the Constitution itself, M. D. Ector, of Harrison county; C. M. Winkler, of Navarro; and John P. White, of Guadalupe, were elected the three judges to constitute the Court of Appeals.

"Immediately upon the approval of the act of May 6, 1876, they convened as a court, and Judge Ector was chosen by his colleagues to be the presiding judge, and, the organization being completed in other respects, the court at once proceeded with the dispatch of business. \* \* \*

In Volume 4 the Reporters say: "In the preface to the third volume of these Reports, allusion was made to the improvement progressing in the administration of the criminal law by courts of original jurisdiction. This encouraging tendency has grown more marked and ob-

vions with each succeeding term. Two years ago the affirmances were scarcely more than half the aggregate of the reversals and dismissals, but now they are a majority by more than twenty per centum, and about double the reversals alone. \* \* \*

In the preface to Volume 5, the Reporters say: "It will be observed that several changes in the Attorney General's department have occurred since the appearance of the fourth volume of these Reports. H. H. Boone, Esq., Attorney General since the Constitution of 1876 took effect, having determined to resume the general practice of his profession, declined to accept a re-election, which otherwise would have been tendered him without competition. His term expired on January 9, 1879, and on that date he was succeeded by George McCormick, Esq., elected at the general election of November, 1878. This occasioned a temporary vacancy in the Assistant Attorney Generalship, and W. B. Dunham, Esq., was appointed [by the Governor] to supply it. Immediately on the inauguration of Governor Roberts, Thomas Ball, Esq., was appointed [by the Governor and confirmed by the Senate] Assistant Attorney General for the regular term."

W. F. Faris resigned the position of clerk at Austin, June 30, 1879, and James L. White was appointed to succeed him, July 2, 1879.

Judge Ector died at Tyler, October 29, 1879, while in official attendance on the Court of Appeals. Judge White was chosen presiding judge, to succeed him, November 8, 1879. George Clark was appointed Associate Justice, November 3, 1879. Volume 7 contains the proceedings in memoriam. George W. Chilton, selected for that purpose, presented, on the 1st of November, to the court, resolutions adopted by the Tyler bar, and accompanied the act with remarks worthy of the memory of the upright judge and heroic ex-Confederate general who had passed to that world that lies beyond the pale of mortality and whose place among men should know him no more. In closing, Mr. Chilton said:

"I feel that the best wish I can express for your honors, in closing, is that whoever may be associated with you as Judge Ector's successor may approach him in all the virtues, graces, and excellencies that he displayed during the three and a half years you were together upon the bench.

"To live with fame

The gods allow to many; but to die  
With equal lustre is a blessing Heaven  
Selects from all her choicest boons of Fate,  
And, with a sparing hand, on few bestows."

Hon. Geo. Quinan, Commissioner of Appeals, followed. John P. White, acting presiding judge, replied for the Court of Appeals.

Judge Ector's remains were interred at Marshall, whither they were attended by the judges of the Court of Appeals, Justices of the Supreme Court, Commissioners of Appeals, members of the bar, and a numerous cortege of citizens.

Soon after dark on the night of October 15, 1880, Thomas Smith, clerk of the court at Tyler, was run over and killed by a train at a crossing on the Tyler Tap Railroad, while on the way from his home to the court room. "Death was instantaneous, but of him, if of any one," say the Reporters in Volume 9 of the Court Reports, "it may be said that if it took him unawares it took him not unprepared. Those who knew

the subject of this notice can well attest that no tribute to his merit as a man, or to his worth in every relation in life, whether private or official, can transcend the limits of the simple truth or trench on those of eulogy." Then follow the proceedings in memoriam, including resolutions adopted by the Tyler bar.

On page 3, of Volume 9, it is stated that E. P. Smith was appointed clerk at Tyler, October 16, 1880; that George Clark resigned as judge, October 1, 1880, and that James M. Hurt was appointed to succeed Clark, October 2, 1880, and later regularly elected a member of the court at the general election in November, 1880.

The next changes (the election of J. H. McLeary to the office of Attorney General at the November election in 1880, and the appointment of Horace Chilton Assistant Attorney General, January 20, 1881) are noted in Volume 10.

Volume 11 contains the following notes: Clinton M. Winkler died May 13, 1882; Samuel A. Willson was appointed judge May 18, 1882, to succeed Judge Winkler; Charles S. Morse resigned as clerk at Galveston, November 30, 1881 [to accept the position of clerk of the Supreme Court], and Horace A. Morse was appointed clerk at Galveston, December 1, 1881.

Proceedings in memoriam on the death of Judge Winkler are in this Volume. C. S. West presented, in the Supreme Court, the resolutions adopted by the bar. Robert S. Gould, Chief Justice of the Supreme Court, responded. H. M. Bonner, one of the Justices of the Supreme Court, followed. A. M. Jackson presented the resolutions to the Court of Appeals, after which Horace Chilton addressed the court. John P. White, presiding judge, responded. J. H. McLeary presented the resolutions to the Commission of Appeals, and W. S. Delaney, of the Commission, responded, saying that Judge Winkler in his life and death realized the following wish, expressed by Sir William Blackstone:

"Untainted by the guilty bribe;  
Uncursed amidst the harpy tribe;  
No orphan's cry to wound my ear;  
My honor and my conscience clear:  
Thus may I calmly meet my end;  
Thus to the grave in peace descend."

Volume 13 records the following happenings in the history of the court: John P. White, presiding judge, and James M. Hurt, judge, re-elected, and Samuel A. Willson, judge elected, at the general election in November, 1882; John D. Templeton, Attorney General, elected November, 1882; James H. Burts, Assistant Attorney General, appointed and qualified January 20, 1883.

Volume 22 states that John D. Templeton's term as Attorney General expired January 18, 1887; that James S. Hogg, elected Attorney General in November, 1886, qualified January 18, 1887; and that James H. Burts was succeeded as Assistant Attorney General by W. L. Davidson, February 4, 1887.

Volume 25 states that P. Walton qualified as clerk for the court at Austin, vice James L. White, term expired.

Volume 27 states that A. M. Jackson, Sr., Reporter, died July 11, 1889. Volume 28 contains the proceedings had in the court in honor of the memory of the deceased.

The Reporters' notes in Volume 29 state that Judge Sam A. Willson resigned February 1, 1891, and W. L. Davidson was appointed a member of the court, to fill the vacancy thus occasioned, February 5, 1891; that James S. Hogg's term as Attorney General expired January 18, 1891; that Charles A. Culberson was elected Attorney General in November, 1890, and qualified in January, 1891; that Richard H. Harrison succeeded W. L. Davidson as Assistant Attorney General, February 4, 1891; that A. M. Jackson, Jr., resigned as Reporter, January 31, 1891, and was succeeded by Judge Sam A. Willson, appointed February 6, 1891; and that J. B. Earle was appointed stenographer, May 6, 1891.

Volume 30 states that John P. White, presiding judge, resigned, April 29, 1892; that James M. Hurt was elected presiding judge, May 4, 1892; that E. J. Simkins was appointed a judge of the court, May 3, 1892, to succeed Judge Hurt, promoted; and that Judge Sam A. Willson died January 24, 1892, and was succeeded, as Reporter, by Judge John P. White, appointed May 27, 1892.

Volume 31 contains the following information: W. L. Davidson and E. J. Simkins, elected judges November 8, 1892; Charles A. Culberson elected Attorney General November 8, 1892; Richard H. Harrison, Assistant Attorney General, resigned October 1, 1892, and was succeeded by R. L. Henry, appointed October 3, 1892; and P. Walton, clerk at Austin; E. P. Smith, clerk at Tyler; W. A. Hudson, clerk at Dallas; John P. White, Reporter, and J. B. Earle, stenographer, appointed October 4, 1892.

With this volume begin the reports of the Court of Criminal Appeals. In the preface to the volume Judge White (Reporter) says: "By the adoption of the amendment to the Judiciary Article (No. V of the State Constitution) 'the Court of Appeals,' as a court, ceased to exist on the 22nd day of September, 1891. That court was created by and organized under the Constitution of 1876. \* \* \* Since its organization under the act of May 6, 1876, the published opinions of the court will be found in the thirty volumes of the 'Texas Court of Appeals Reports,' and in four volumes of the 'Texas Court of Appeals Civil Cases.' Besides these published volumes, several thousand cases, both criminal and civil, have also been disposed of in oral and unpublished written opinions.

"During its fifteen and one-half years of existence, several judges have sat upon the bench of the court: Hon. M. D. Ector, Hon. C. M. Winkler, Hon. John P. White, Hon. George Clark, Hon. J. M. Hurt, Hon. Sam A. Willson, and Hon. W. L. Davidson. Of these Judges Ector and Winkler died before the expiration of the term of their election. Hon. Sam A. Willson resigned from the bench and died whilst occupying the position of Reporter for the court. John P. White, one of the original members of the court, served upon the bench three terms and until April 26, 1892, after the adoption of the amendment creating the 'Court of Criminal Appeals,' when he also resigned, and was appointed to the position of Reporter for the court, to fill the vacancy caused by the death of Hon. Sam A. Willson. Hon. E. J. Simkins, of Navarro county, was appointed to fill the unexpired term of Judge White, and at the general election held in November, 1892, Judges Davidson and Simkins were elected judges of the Court of Criminal Appeals, to fill the unexpired terms of Judges Willson and White. The personnel of the court, as at present (1893) organized, is Hon. J. M. Hurt, Presiding Judge, and Judges W. L. Davidson and E. J. Simkins. \* \* \*



The preface to Volume 33 contains the following: "At a general election held for all State officers on the 6th day of November, 1894, Hon. Charles A. Culberson was elected Governor, and Hon. M. M. Crane, of Johnson county, Attorney General. Hon. James M. Hurt and Hon. W. L. Davidson were re-elected Judges of the Court of Criminal Appeals, and Hon. John N. Henderson, of Brazos county, was also elected one of the judges of said court.

"\* \* \* In conformity with this statute [Act of April 13, 1892] at the Dallas term, 1895, which was the first term held by the Court of Criminal Appeals subsequent to the election aforesaid, the newly elected judges proceeded to draw for their class and term of office, with the following result:

"Class No. 1.—W. L. Davidson, two years.

"Class No. 2.—Hon. James M. Hurt, four years.

"Class No. 3.—Hon. John N. Henderson, six years.

"After which the court perfected its organization by re-electing Hon. James M. Hurt presiding judge.

"Gov. Culberson, after his induction into office, appointed Hon. Mann Trice, of Dallas county, Assistant Attorney General, vice R. L. Henry, Esq., whose term of office had expired."

This volume also contains proceedings had in the court June 23, 1894, on the death of ex-Assistant Attorney General James H. Burts, which occurred in Austin, January 15, 1894.

Volume 35 states that W. L. Davidson was re-elected November 3, 1896; that E. P. Smith was appointed clerk at Austin, December 22, 1896; that E. B. Wiggins was appointed clerk at Tyler, December 22, 1896; and that John P. White was re-appointed Reporter, December 22, 1896. This volume contains the proceedings had in the court out of respect to the memory of Judge A. S. Walker, who died at his home in Austin, August 14, 1896.

Volume 39 contains proceedings had June 22, 1898, in memoriam on the death of ex-Chief Justice of the Supreme Court Oran M. Roberts, which occurred May 19, 1898.

James M. Hurt's term expired December 31, 1898. W. L. Davidson was selected presiding judge January 2, 1899. Hon. M. M. Brooks was elected a member of the court November 8, 1898, and qualified January 2, 1899. Robert A. John was appointed Assistant Attorney General in January, 1899, and qualified January 20, the term of Mann Trice expiring on that day.

The preface to Volume 40 is as follows: "The general election for all State officers in Texas, held on November 8, 1898, in so far as it affected official changes in the Court of Criminal Appeals, resulted as follows:

"The Hon. Joseph D. Sayers, of Bastrop county, was elected Governor. The Hon. Thomas S. Smith, of Hillsboro, Hill county, was elected Attorney General in place of M. M. Crane, whose term had expired.

"The Hon. M. M. Brooks, of Greenville, Hunt county, was elected judge of the Court of Criminal Appeals to fill the place of Presiding Judge J. M. Hurt, whose term would expire, and who retired, December 31, 1898, after a continuous service of almost twenty years upon the court—from the 2nd day of October, 1880.

"The term of Hon. Mann Trice as Assistant Attorney General having

expired, Governor Sayers appointed the Hon. Robert A. John, of Georgetown, Williamson county, Assistant Attorney General.

"When the Court of Criminal Appeals convened at the Dallas term, 1899, it was reorganized by the selection of Hon. W. L. Davidson as its presiding judge, on Monday, January 2, 1899."

Judges of the Court of Criminal Appeals receive an annual salary of \$4000 each, and the Reporter \$3000. The clerk is paid in fees.

### COMMISSION OF APPEALS.

	Appointed.	Qualified.	Remarks.
Richard S. Walker, Pres. Com'r....	Oct. 9, 1879	Oct. 17, 1879	
A. S. Walker, Commissioner.....	Oct. 9, 1879	Oct. 9, 1879	Resigned December 13, 1880.
George Quinan, Commissioner.....	Oct. 9, 1879	Oct. 9, 1879	
A. T. Watts, Commissioner.....	Dec. 13, 1880	Dec. 16, 1880	Vice A. S. Walker, resigned.
Richard S. Walker, Pres. Com'r....	Oct. 10, 1881	Oct. 11, 1881	Resigned January 1, 1882.
George Quinan, Commissioner.....	Oct. 10, 1881	Oct. 11, 1881	
A. T. Watts, Commissioner.....	Oct. 10, 1881	Oct. 11, 1881	
T. M. Harwood, Commissioner.....	Jan. 5, 1882		To fill vacancy caused by the resignation of Quinan. Declined to accept.
W. S. Delaney, Commissioner.....	Jan. 13, 1882	Jan. 16, 1882	Vice Quinan.
Richard S. Walker, Pres. Com'r....	Oct. 1, 1883	Oct. 9, 1883	
A. T. Watts, Commissioner.....	Oct. 1, 1883	Oct. 9, 1883	
W. S. Delaney, Commissioner.....	Oct. 1, 1883	Oct. 9, 1883	
Richard Maltbie, Pres. Com'r.....	Sept. 15, 1887	Sept. 22, 1887	Died July 5, 1888.
Walter Acker, Commissioner.....	Sept. 15, 1887	Sept. 19, 1887	
W. E. Collard, Commissioner.....	Sept. 15, 1887	Sept. 20, 1887	
Edwin M. Hobby, Commissioner.....	July 7, 1888	July 10, 1888	To fill vacancy caused by the death of Maltbie. Hobby's service began with the Tyler term in 1888.
Walter Acker, Pres. Com'r.....	Apr. 4, 1889		
Edwin Hobby, Commissioner.....	Apr. 4, 1889		Resigned.
W. E. Collard, Commissioner.....	Apr. 4, 1889		
D. P. Marr, Commissioner.....	Jan. 27, 1891	Jan. 30, 1891	
<i>Section A.</i>			
Edwin Hobby, Presiding Judge....	Apr. 15, 1891	Apr. 16, 1891	
W. E. Collard, Judge.....	Apr. 15, 1891	Apr. 16, 1891	
D. P. Marr, Judge.....	Apr. 15, 1891	Apr. 16, 1891	
<i>Section B.</i>			
C. C. Garrett, Presiding Judge.....	Mar. 2, 1891	May 2, 1891	
B. D. Tarlton, Judge.....	Mar. 2, 1891	May 2, 1891	
H. C. Fisher, Judge.....	Mar. 2, 1891	May 2, 1891	

The Commission was created by an act of the Sixteenth Legislature, approved July 9, 1879. The following extracts embody the principal provisions, show the powers with which it was clothed when first established, and render intelligible later enactments:

"SECTION 1. Be it enacted by the Legislature of the State of Texas: That a commission of arbitration and award to consist of three persons learned in the law to be appointed by the Governor, by and with the consent of the Senate, if in session, who shall hold their offices for two years from the date of their appointment and receive for their services the same salary as the judges of the Supreme Court, be and the same is hereby created to be styled the 'Commissioners of Appeals of the State of Texas.'

"SEC. 2. Said commission shall have the power to hear and pronounce awards upon all civil cases now or hereafter pending in the Supreme Court or the Court of Appeals, wherein the parties or their attorneys may file consent in writing to the reference thereof to said commission.

"SEC. 3. Said commission shall hold its sessions at the same times and places as the Supreme Court. \* \* \*

"SEC. 7. Said commission shall report its conclusions or award to the Supreme Court or Court of Appeals, as the case may be, in the cases so referred, and may accompany the same with a brief synopsis of the case and their opinion thereon; and the conclusions of award aforesaid shall be and become the judgment of the said Supreme Court or the Court of Appeals aforesaid, and said courts shall make and render such further order, judgment or decree thereon as may be necessary or proper to make said award effective.

"SEC. 8. The opinions of said commission shall not be published in the reports of the decisions of the Supreme Court or Court of Appeals, nor shall the same have any \* \* \* other effect than to determine the cause wherein rendered. \* \* \*

An act of the Seventeenth Legislature, approved February 9, 1881, extended the life of the commission from October 1, 1881, to October 1, 1883; and an act of the Eighteenth Legislature from October 1, 1883, to September 30, 1885, at which time it ceased by operation of law. Nearly two years later it was revived by an act of the Twentieth Legislature, approved March 30, 1887, for a period beginning April 1, 1887, and ending March 31, 1889, and continued by an act of the Twenty-first Legislature, approved March 26, 1889, for a further period of two years, beginning April 1, 1889, and ending March 31, 1891.

The principal features of the amendatory acts of 1881, 1883, 1885, and 1887, are embodied in the following sections of the Act of 1881, which they all contained:

"SEC. 2. That in addition to the powers and duties now conferred by said act, the Supreme Court and Court of Appeals of this State are hereby authorized and empowered to refer to the Commissioners of Appeals of the State of Texas any civil case or cases now or hereafter pending before said courts for examination and report thereon; and it shall be the duty of said Supreme Court and Court of Appeals, in order to relieve the dockets of said courts of the great number of cases now encumbering them, from time to time to refer to said Commissioners of Appeals so many of said cases now, or hereafter, pending in said courts as may be reasonably considered and acted upon by the same, at the several sessions thereof, having respect in such reference to the length of time such cases may have been pending, as well as to promote an early disposition of the cases on the docket.

"SEC. 3. When said Commissioners of Appeals have considered and determined upon the proper disposition of any case referred to the same according to Section 2 of this act, their opinion shall be submitted, together with a brief synopsis of the case, to the court from which the case was referred, and the record shall be returned therewith. The reports so made may be used by the respective courts to facilitate them in reaching a conclusion upon the law and facts in the case.

"SEC. 4. The opinions of said Commissioners of Appeals in cases

referred to them by the Supreme Court, when adopted by said court, shall be published as the opinions thereof as in other cases."

An act of the Twenty-second Legislature, approved April 8, 1891 (eight days after the legal existence of the old Commission had terminated), re-created the court with the following changes:

"SECTION 1. \* \* \* Said Commission shall consist of six persons \* \* \* who shall be appointed by the Governor, by and with the advice and consent of the Senate, if in session, and who shall hold their offices for two years \* \* \*. The first appointment shall be made to take effect on the first day of April, 1891. \* \* \* Said Commission of Appeals shall sit in two sections of three judges each during the term and at the place where the Supreme Court may be sitting.

"SEC. 14. This act shall become inoperative and the term of said Commissioners appointed hereunder shall cease, whenever by the adoption of an amendment to the judiciary article of the Constitution, or by legislation under such newly adopted amendment, the number of judges of the Supreme Court may be increased."

A final period was brought to the career of the Commission by the amendment to the judiciary article of the Constitution of 1876, declared adopted September 22, 1891.

Section 1 of the Constitution, as thus amended, is as follows:

"The judicial power of this State shall be vested in one Supreme Court, in Courts of Civil Appeals, in Courts of Criminal Appeals, in District Courts, in County Courts,<sup>1</sup> in Commissioners' Courts,<sup>2</sup> in Courts of Justices of the Peace, and in such other courts as may be provided by law. The Criminal District Court of Galveston and Harris counties shall continue with the district, jurisdiction, and organization now existing by law<sup>3</sup> until otherwise provided by law. The Legislature may establish such other courts as it may deem necessary. \* \* \*"

The opinions rendered by the Commission of Appeals and adopted by the Supreme Court are contained in Vols. 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, and 64 of the Supreme Court reports.

<sup>1</sup>Besides exercising an original civil and criminal jurisdiction, subordinate to that of the district courts, and appellate jurisdiction as regards courts of justices of the peace and corporation courts, the county court is a court of probate, and has charge of all matters of testamentary administration guardianship, *lunatico de inquirendo*, etc.

The corporation (or city) courts in addition to the powers of ordinary police courts, have criminal (but no civil) jurisdiction to the extent of that exercised by justices of the peace. The establishment of corporation courts is optional with cities possessing the requisites prescribed by law.

<sup>2</sup>Each county is divided into four commissioners' precincts. The commissioners are elected for two years at each biennial general election, and, with the county judge as ex officio presiding officer, constitute the commissioners court. This is a most important body, clothed with auditing, appointive, administrative, and quasi-legislative powers as regards the management of county affairs, including the filling of vacancies in the principal county offices.

<sup>3</sup>The following criminal district courts now exist in the State: (1) Galveston and Harris Criminal District Court and (2) Dallas Criminal District Court.

**COURT OF CIVIL APPEALS—FIRST DISTRICT—GALVESTON.**

	Appointed.	Elected.	Remarks.
C. C. Garrett, Chief Justice.....	Sept. 1, 1892	.....	
H. C. Pleasants, Assoc. Justice....	Sept. 1, 1892	.....	
F. A. Williams, Associate Justice...	Sept. 1, 1892	.....	
C. C. Garrett, Chief Justice. ....	.....	Nov. 8, 1892	
H. C. Pleasants, Assoc. Justice....	.....	Nov. 8, 1892	
F. A. Williams, Associate Justice...	.....	Nov. 8, 1892	
On drawing for terms Williams drew two years, Garrett four years, and Pleasants six years.			
F. A. Williams, Associate Justice .....		Nov. 6, 1894	Appointed Associate Justice of the Supreme Court May 8, 1899, to fill a vacancy caused by the resignation of Associate Justice Leroy G. Denman. W. H. Gill was appointed May 31, 1899, to succeed Williams on the Court of Civil Appeals.
C. C. Garrett, Chief Justice.....	.....	Nov. 3, 1896	
H. C. Pleasants, Assoc. Justice....	.....	Nov. 8, 1896	Died November 7, 1899.
R. A. Pleasants, Assoc. Justice....	Nov. 20, 1899	.....	To fill vacancy caused by the death of H. C. Pleasants.
W. H. Gill, Associate Justice.....	.....	Nov. 6, 1900	
R. A. Pleasants, Assoc. Justice....	.....	Nov. 6, 1900	
H. M. Knight, Clerk.....	.....	.....	

**COURT OF CIVIL APPEALS—SECOND DISTRICT—FORT WORTH.**

	Appointed.	Elected.	Remarks.
B. D. Tarlton, Chief Justice.....	Sept. 1, 1892	.....	
H. O. Head, Associate Justice.....	Sept. 1, 1892	.....	
I. W. Stephens, Associate Justice...	Sept. 1, 1892	.....	
B. D. Tarlton, Chief Justice.....	.....	Nov. 8, 1892	
H. O. Head, Associate Justice.....	.....	Nov. 8, 1892	Resigned November 9, 1895, to take effect November 18, 1895.
I. W. Stephens, Associate Justice...	.....	Nov. 8, 1892	
On drawing terms Stephens drew two years, Head four years, and Tarlton six years.			
Samuel J. Hunter, Assoc. Justice	Nov. 21, 1895	.....	To fill vacancy caused by resignation of H. O. Head.
I. W. Stephens, Associate Justice...	.....	Nov. 6, 1894	
Samuel J. Hunter, Assoc. Justice...	.....	Nov. 3, 1896	
T. H. Connor, Chief Justice.....	.....	Nov. 8, 1898	Qualified December 31, 1898.
I. W. Stephens, Associate Justice...	.....	Nov. 6, 1900	
W. C. Strong, Clerk.....	.....	.....	

<sup>1</sup>Section 6 of an amendment to the Constitution of 1876, declared adopted September 22, 1891: "The Legislature shall, as soon as practicable after the adoption of this amendment, divide the State into not less than two nor more than three supreme judicial districts, and thereafter into such additional districts as the increase of population and business may require, and shall establish a Court of Civil Appeals in each of said districts, which shall consist of a chief justice and two associate justices, who shall have the qualifications \* \* \* prescribed for justices of the Supreme Court. Said Courts of Civil Appeals shall have appellate jurisdiction coextensive with the limits of their respective districts, which shall extend to all civil cases of which the district courts or county courts have original or appellate jurisdiction, under such restrictions and regulations as may be prescribed by law; provided, that the decisions of said courts shall be conclusive on all questions of fact brought before them on appeal or error. Each of said courts \* \* \* shall hold its sessions at a place in its district to be designated by the Legislature and at such times as may be prescribed by law. Said justices shall be elected \* \* \* for a term of six years. \* \* \* At the first session of the Supreme Court, the Court of Criminal Appeals, and such of the Courts of Civil Appeals which may be hereafter created under this article, after the first election of the judges of such courts under this amendment, the terms of office of the judges of each court shall be divided into three classes, and

**COURT OF CIVIL APPEALS—THIRD DISTRICT—AUSTIN.**

	Appointed.	Elected.	Remarks.
H. C. Fisher, Chief Justice.....	Sept. 1, 1892	.....	
W. E. Collard Associate Justice....	Sept. 1, 1892	.....	
W. M. Key, Associate Justice.....	Sept. 1, 1891	.....	
Will Vining was appointed clerk September 12, 1892.			
H. C. Fisher, Chief Justice.....	.....	Nov. 8, 1892	
W. E. Collard, Associate Justice....	.....	Nov. 8, 1892	
W. M. Key, Associate Justice.....	.....	Nov. 8, 1892	
On drawing for terms H. C. Fisher drew two years, W. M. Key four years, and W. E. Collard six years.			
H. C. Fisher, Chief Justice.....	.....	Nov. 6, 1894	
W. M. Key, Associate Justice.....	.....	Nov. 3, 1896	
<sup>1</sup> W. E. Collard, Associate Justice....	.....	Nov. 8, 1898	
H. C. Fisher, Chief Justice.....	.....	Nov. 6, 1900	
R. H. Connerly was appointed clerk to succeed Will Vining, resigned.			

**COURT OF CIVIL APPEALS—FOURTH DISTRICT—SAN ANTONIO.**

	Appointed.	Elected.	Remarks.
John H. James, Chief Justice.....	Aug. 8, 1893	.....	
H. H. Neill, Associate Justice.....	Aug. 8, 1893	.....	
W. S. Fly, Associate Justice.....	Aug. 8, 1893	.....	
H. E. Hildebrand was appointed Clerk Aug. 8, 1893, and has con- tinued such to the present time (1900).			
John H. James, Chief Justice.....	.....	Nov. 6, 1894	
H. H. Neill, Associate Justice.....	.....	Nov. 6, 1894	
W. S. Fly, Associate Justice.....	.....	Nov. 6, 1894	
On drawing for terms, W. S. Fly drew two years, H. H. Neill four years, and John H. James six years.			
W. S. Fly, Associate Justice.....	.....	Nov. 3, 1896	
H. H. Neill, Associate Justice.....	.....	Nov. 8, 1898	
John H. James, Chief Justice.....	.....	Nov. 6, 1900	

the justices thereof shall draw for the different classes. Those who shall draw class No. 1 shall hold their offices two years those drawing class No. 2 shall hold their offices four years and those who may draw class No. 3 shall hold their offices for six years from the date of their election \* \* \* and thereafter each of said judges shall hold his office for six years. \* \* \*

The first three Courts of Civil Appeals were organized under acts passed by the first called session of the Twenty-second Legislature and approved April 13, 1892, and the next two under an act passed by the Twenty-third Legislature and approved May 13, 1893. These enactments provide that the Supreme Court reporter shall also be reporter for the Civil Courts of Appeals, authorize the publication of decisions so reported and empower the Governor to appoint judges of the Civil Courts of Appeals to serve until the "next general election" and in the same manner make appointments to fill vacancies.

<sup>1</sup>Judge Collard died April 14, 1902. Judge Sam Streetman, of Cameron, was appointed to succeed him April 26th, and qualified April 28, 1902.

<sup>2</sup>Section 12, act of the Twenty-third Legislature, approved May 13, 1893: "The terms of said courts [all the Courts of Civil Appeals] shall commence on the first Monday in September of each year and may continue in session until the first Monday in July of each succeeding year.

Section 16. "The first term of the Court of Civil Appeals in the said fourth

## COURT OF CIVIL APPEALS—FIFTH DISTRICT—DALLAS.

	Appointed.	Elected.	Remarks.
T. J. Brown, Chief Justice.....	May 13, 1893		Resigned. Was appointed Associate Justice of the Supreme Court May 31, 1893, to fill vacancy caused by resignation of J. L. Henry. The act creating the Court of Civil Appeals, 5th District, did not take effect until Aug. 8, 1893, consequently, Judge Brown was appointed Associate Justice of the Supreme Court before the organization of said Court of Civil Appeals.
Anson Rainey, Associate Justice..	May 13, 1893		
N. W. Finley, Associate Justice...	May 13, 1893		
Henry W. Lightfoot was appointed Chief Justice, to fill vacancy caused by appointment of T. J. Brown Associate Justice of the Supreme Court. Lightfoot, Rainey and Finley qualified Aug. 8, 1893, and were commissioned the following day.			
H. W. Lightfoot, Chief Justice.....		Nov. 6, 1894	Resigned October 1, 1897. Died at Skagway, Alaska, August 27, 1901, while on a trip there.
Anson Rainey, Associate Justice..		Nov. 6, 1894	
N. W. Finley, Associate Justice...		Nov. 6, 1894	
On drawing for terms, Rainey drew two years, Lightfoot four years, and Finley six years.			
Anson Rainey, Associate Justice..		Nov. 3, 1896	
N. W. Finley, Chief Justice, (to succeed Lightfoot).....	Oct. 1, 1897		
John Bookhout, Associate Justice	Oct. 1, 1897		
N. W. Finley, Chief Justice.....		Nov. 8, 1898	Resigned to take effect April 1, 1900.
John Bookhout, Associate Justice		Nov. 8, 1898	
Anson Rainey, Chief Justice.....	Apr. 1, 1900		To succeed Finley.
Howard Templeton, Assoc. Justice	Apr. 1, 1900		
Anson Rainey, Chief Justice.....		Nov. 6, 1900	
John Bookhout, Associate Justice		Nov. 6, 1900	
Howard Templeton, Assoc. Justice		Nov. 6, 1900	
Geo. W. Blair, Clerk .....			

The Act of May 13, 1893, provides that the following counties shall constitute the

**First Supreme Judicial District:**

Newton, Jasper, Orange, Jefferson, Hardin, Tyler, Polk, Trinity, Houston, Madison, Walker, San Jacinto, Liberty, Chambers, Harris, Montgomery, Grimes, Washington, Waller, Fort Bend, Brazoria, Matagorda, Wharton, Colorado, Austin, Fayette, Lavaca, Jackson, Calhoun, DeWitt, Victoria, Goliad, Refugio, San Patricio, Aransas, Nueces, Hidalgo, Cameron, Sabine, San Augustine, Nacogdoches, Angelina, Anderson, Freestone, Limestone, Robertson, Brazos, Leon, Burleson, Galveston, Starr, Shelby, Cherokee, Rusk, and Panola; and the following the

and fifth supreme judicial districts shall be held as soon after this act goes into effect as practicable for the said courts to organize."

Section 17. "That immediately after this act shall take effect the Governor shall appoint suitable persons as chief justices and associate justices of the Courts of Civil Appeals in and for each of the supreme judicial districts herein created [fourth and fifth] who shall hold their respective offices until the next general election held for State and county officers and until their successors shall be elected and qualified."

**Second Supreme Judicial District:**

Dallam, Sherman, Hansford, Ochiltree, Lipscomb, Hartley, Moore, Hutchinson, Roberts, Hemphill, Oldham, Potter, Carson, Gray, Wheeler, Deaf Smith, Randall, Armstrong, Donley, Collingsworth, Parmer, Castro, Swisher, Briscoe, Hall, Childress, Bailey, Lamb, Hale, Floyd, Motley, Cottle, Foard, Hardeman, Wilbarger, Wichita, Cooke, Montague, Clay, Archer, Baylor, Knox, King, Dickens, Crosby, Lubbock, Hockley, Cochran, Yoakum, Terry, Linn, Garza, Kent, Stonewall, Haskell, Throckmorton, Young, Jack, Wise, Denton, Tarrant, Parker, Palo Pinto, Stephens, Shackelford, Jones, Fisher, Scurry, Borden, Dawson, Gaines, Andrews, Martin, Howard, Mitchell, Nolan, Taylor, Callahan, Bosque, Eastland, Erath, Hood, Somervell, and Comanche; and the following the

**Third Supreme Judicial District:**

Ector, Midland, Glasscock, Sterling, Coke, Runnels, Coleman, Brown, Mills, Hamilton, Coryell, Bell, Lampasas, San Saba, McCulloch, Concho, Tom Green, Irion, Llano, Burnet, Williamson, Milam, Lee, Bastrop, Travis, Blanco, Hays, Comal, Caldwell, McLennan, and Falls; and the following the

**Fourth Supreme Judicial District:**

El Paso, Loving, Winkler, Reeves, Jeff Davis, Presidio, Brewster, Buchel, Pecos, Ward, Crane, Upton, Crockett, Val Verde, Schleicher, Sutton, Edwards, Kinney, Maverick, Menard, Kimble, Kerr, Bandera, Uvalde, Zavala, Dimmit, Webb, Encinal, La Salle, Frio, Medina, Duval, McMullen, Atascosa, Bexar, Kendall, Gillespie, Mason, Guadalupe, Wilson, Live Oak, Zapata, Bee, Gonzales, and Karnes; and the following the

**Fifth Supreme Judicial District:**

Grayson, Collin, Dallas, Rockwall, Ellis, Navarro, Kaufman, Henderson, Van Zandt, Rains, Hunt, Fannin, Lamar, Hopkins, Delta, Wood, Smith, Red River, Titus, Franklin, Camp, Upshur, Gregg, Harrison, Marion, Cass, Morris, Bowie, Johnson, and Hill.

In constructing the districts the effort was not to compose them of contiguous territory; but to, as nearly as possible, so group the counties as to assign to each of the five courts a fifth of the total volume of work to be performed.

This was in a measure accomplished, for the time being, by the passage of the act, and that the desired equilibrium may be maintained, Section 13 of the act provides: "When the number of cases on the docket of any Court of Civil Appeals shall have accumulated to an extent greater than can be disposed of in a reasonable time, the Supreme Court shall, upon the application of the Chief Justice of the court where the accumulation exists, counsel for appellant and appellee consenting thereto, have power to order a sufficient number of such cases transferred to any one or more of the other Courts of Civil Appeals whose dockets are not so crowded."

Volume 1, Texas Civil Appeals Reports (October, November, and December, 1892). C. C. Garrett, Chief Justice First District; F. A. Williams and H. C. Pleasants, Judges; H. M. Knight, Clerk, Galveston; A. B. Peticolas, Assistant Reporter, Victoria. B. D. Tarlton, Chief Justice Second District; I. W. Stephens and H. O. Head, Judges; W. L. Huff, Clerk, Fort Worth; B. R. Webb, Assistant Reporter, Baird. H. C.



Fisher, Chief Justice. Third District; W. E. Collard and W. M. Key, Judges; W. L. Vining, Clerk, Austin; C. A. Culberson, Attorney General; A. S. Walker, Sr. (Reporter of the Supreme Court), Reporter.

No changes until Volume 4 (1893), in which are reported the decisions of the newly created Courts of Civil Appeals for the Fourth and Fifth Supreme Judicial Districts: John H. James, Chief Justice Fourth District; H. H. Neill and W. S. Fly, Judges; H. E. Hildebrand, Clerk, San Antonio; Thos. O'Neal, Assistant Reporter, Gonzales. Henry W. Lightfoot, Chief Justice Fifth District; Anson Rainey and N. W. Finley, Judges; George W. Blair, Clerk, Dallas; W. J. J. Smith, Assistant Reporter, Dallas.

In Volume 10 B. R. Webb appears as Assistant Reporter for all the Courts of Civil Appeals. On pages 4 and 5 of this volume, under the heading "In Memoriam," is published a tribute to Judge A. S. Walker, Sr., written by his co-laborer in reporting decisions of the courts, Judge B. R. Webb. The article begins: "After the present volume had gone to press, and pending its publication, Judge A. S. Walker, Reporter of the Supreme Court of Texas, died at his home in Austin, Texas, on August 14, 1896, in the seventieth year of his age," and in its course reviews the character, abilities and services of the deceased.

In Volume 11 S. J. Hunter appears as one of the judges of the Second District, vice H. O. Head; and R. H. Connerly as Clerk, at Austin, vice W. L. Vining.

In Volume 11 (1895) Judge A. E. Wilkinson appears as Reporter of the Supreme Court. In a prefatory note he says: "This volume was prepared and sent to press after the death of Judge A. S. Walker, Sr., Reporter of the Supreme Court at the time the decisions herein pronounced and before the appointment of his successor. The cases from the third were, therefore, prepared for publication, as was the rest of the volume, by the Assistant Reporter, B. R. Webb, Esq."

In Volume 17 (1897) N. W. Finley appears as Chief Justice for the Fifth District, vice H. W. Lightfoot, and John Bookhout as Associate Justice in the place of Finley, promoted.

In Volume 18 (1899) T. H. Conner appears as Chief Justice for the Second District, vice B. D. Tarlton.

Volume 21 (1899) contains a note stating that F. A. Williams was appointed an Associate Justice of the Supreme Court May 9, 1899, and was succeeded as Associate Justice of the Court of Civil Appeals for the First District by W. H. Gill, appointed May 31, 1899.

Volume 22 (1900) shows that R. A. Pleasants was appointed Associate Justice of the Court of Civil Appeals for the First District, to succeed H. Clay Pleasants, deceased.

Volume 23 (1900) shows that Chief Justice Finley, of the Fifth District, having resigned, Anson Rainey was appointed Chief Justice in his stead April 1, 1900, and that on the same day Howard Templeton was appointed to succeed Rainey as Associate Justice.

Judge Webb is Reporter for all the Courts of Civil Appeals except for the Third District, the decisions of which are reported by Judge Wilkinson, Reporter for the Supreme Court.

The judges of the Courts of Civil Appeals receive an annual salary of \$3,500 each, the Reporter an annual salary of \$3,000, and the Clerks fees in payment of services.

## CORN, WHEAT, OATS, BARLEY, RYE, POTATOES, AND HAY.

The following is from the Year Book of the U. S. Department of Agriculture for 1900:

Corn crop of the United States, in 1899, 2,078,144,000 bushels; Canada, 22,356,000 bushels; Mexico, 110,000,000 bushels; South America, 90,000,000 bushels. Total for America, 2,301,500,000; for Europe, 391,358,000; for Africa, 33,207,000; for Australasia, 10,025,000.

"The United States produces about four-fifths of the total of corn reported for the whole world, and of the amount that goes into the large markets probably an equal share. The exports of this country last year were the largest ever reported.

"The corn crop of the United States in 1900 (2,105,102,516 bushels) was larger than for any other year since the record crop of 1896; it was nearly 10 per cent. (180,000,000 bushels) less than the crop of 1896, but was more than one bushel in the hundred (30,000,000 bushels) heavier than the crop of 1899. \* \* \*

"The total value of the crop in the United States for 1900 was \$751,220,034, the highest figure reached since the crop of 1891, which was worth \$836,439,228. It had been exceeded but three times before that year—in 1881, 1882, and 1889, when the values were a few millions in excess of the crop of 1900, but were more than \$50,000,000 less than in 1891."

Acreage in corn in Texas in 1900, 4,553,495 acres; production, 81,962,910 bushels; value, \$38,522,568.

Maine, New Hampshire, Vermont, Massachusetts, Rhode Island, Connecticut, New Jersey, Delaware, North Carolina, South Carolina and Florida produced in 1900 a grand total of 77,472,755 bushels, 4,490,145 bushels less than Texas.

Georgia produced 34,119,538 and Alabama 29,355,942, an aggregate of 63,475,472 bushels, 18,487,438 bushels less than Texas.

Louisiana produced 24,702,598, and Arkansas 45,225,947, and aggregate of 69,928,540 bushels, 12,034,355 bushels less than Texas.

Tennessee produced 56,997,880 and West Virginia 19,299,708, an aggregate of 76,297,588 bushels, 5,664,322 bushels less than Texas.

Texas produced more corn than South Dakota, North Dakota, Montana, Wyoming, Colorado, New Mexico, Utah, Washington, Oregon, California, and Oklahoma combined; or than Wisconsin and Minnesota combined.

But seven States exceeded it in production. Were all the corn lands in cultivation, Texas would easily stand without a rival.

Acreage in wheat in Texas in 1900, 1,271,517 acres; production, 23,395,913 bushels; value, \$14,973,384. Texas leads all the States in the production of this cereal, except Minnesota, Kansas, Nebraska, Washington, and California, and is steadily moving toward first place.

Acreage in oats in 1900, 744,164 acres; production, 28,278,232 bushels; value, \$8,483,470.

Acreage in barley in Texas in 1900, 2,049 acres; production, 50,405 bushels.

Acreage in rye in Texas in 1900, 3,917 acres; production, 64,630 bushels.

Acreage in Irish potatoes in Texas in 1900, 14,789 acres; production, 916,918 bushels; average farm price per bushel, 88 cents.

Acreage in hay, 304,933 acres; production, 548,879 tons; average farm price December 1, 1900, \$6.80 per ton.

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### N. A. CRAVENS.

#### PRIVATE SECRETARY TO THE GOVERNOR.

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Was born at Franklin, La., September, 1854, the son of Rev. N. A. and Mrs. Elizabeth C. (Goodwin) Cravens, both now deceased. His father was a minister of the M. E. Church, South, and is well remembered as a man of zeal, piety, and learning in the States of Kentucky, Alabama, Texas, and Louisiana, where, during a long lifetime, he labored effectively in the cause of Christ.

Judge Cravens completed his literary education at Homer College, Louisiana; came to Texas in 1874; was admitted to the bar in 1876; was chairman of the Montgomery County Democratic Executive Committee for nearly twenty years prior to 1899; was chairman of the Democratic Executive Committee of the First Congressional District from 1884 to 1886; served with distinction as a member of the House of Representatives of the Eighteenth and Nineteenth Legislatures; was elected county judge of Montgomery county in 1886 and re-elected in 1888 and 1890; and in 1899 was tendered, and accepted, the position of private secretary to Governor Sayers.

Judge Cravens married Miss Mary E. Mather at Houston, Texas, September 25, 1878, and has eight children, six daughters and two sons. He and his wife are active members of the M. E. Church, South, in which he has served at various times as Sunday school superintendent, steward, and trustee.

He resides at Willis, where he ranks as an able and successful lawyer, is esteemed as a public-spirited citizen, and is beloved as a kind neighbor and friend. He is an exceptionally good forensic and popular speaker (both as regards delivery and the substance of what he says) and the audience must be unresponsive indeed that does not warm to enthusiasm as he expounds a theme.

It has been said that there has never been a really good man who did not have a good mother. It may be said with equal truth that there has never been a really good Governor who did not have a good private secretary. An incompetent man in the position would be such a hampering impediment to success that the most capable statesman would find it difficult to make a creditable record; a competent one, however, would render the task easy. The genial private secretary of Governor Sayers is generally conceded to be one of the most efficient who has ever filled the position.

## CUMBERLAND PRESBYTERIAN CHURCH, SYNOD OF TEXAS.

BY REV. I. S. DAVENPORT.

Item 6 of the report of the Stated Clerk of Texas, made September 15, 1901, is as follows:

"6. Statistics of the Synod taken from Assembly minutes of 1901: 25 presbyteries, 315 ordained ministers, 43 licentiates, 44 candidates, 599 churches, 1,817 elders, 677 deacons, 2,113 additions, 29,976 members, 12,549 in Sabbath school, \$614,872 church property, \$36,270 church buildings and repairing, \$66,755 paid pastors and supplies, \$1,464 local and presbyterial missions, \$504 Childrens' Day fund, \$6,758 synodical missions, \$1,014 home missions, \$227 special missions through the Assembly's Board, \$448 church erection, \$2,070 foreign missions, \$3,245 Woman's Board of Missions, \$1,919 education, \$1,591 ministerial relief, \$14,588 miscellaneous, \$136,674 total contributions."

The present year has been a revival year throughout the bounds of the Synod and the next report will show not only a large increase in membership, but also great progress in every branch of the Synod's work.

### **Mission Work in Texas.**

This work is in the hands of the Synodic Board of Church Extension, and the recent report of this Board shows that it now has in the field four mission superintendents and one Sunday school superintendent, and has expended \$20,832 in the work from December 1, 1900, to September 1, 1901.

### **Educational.**

Trinity University, which by recent action of the Synod is to be removed to Waxahachie, and Texas Female Seminary, at Weatherford, are owned by the Texas Synod and are doing a part in the literary and religious development of the State and the education of our young people that is at least equal to that done by any other institution in our State.

### **Newspapers.**

*The Cumberland Presbyterian*, published at Nashville, Tenn., is the official organ of the Church and has a deservedly large circulation among our members. *The Texas Church Helper*, published at Fort Worth, Texas, is partly owned by the Synodic Board of Church Extension and is doing a valuable work for the Church and has a numerous and constantly increasing list of subscribers.

### **Notable Events.**

First. The removal of Trinity University from Tehuacana to Waxahachie. This removal was ordered by Synod at its last session, and beautiful and commodious buildings are being erected at the present time at Waxahachie in which it is expected that the University will be opened in September, 1902.

Second. The building of churches and manses. In no previous year has the record of the present year in this branch of Christian work been even approached.

Among many others I deem worthy of special mention the large and beautiful churches erected at Weatherford, San Marcos, Denton, and Stamford; and the elegant and commodious manses at Clarksville and Hutto.

### **Early History.**

Sumner Bacon, who came to Texas in 1828, and who, at his own expense, labored for some years in distributing Bibles and religious tracts and in preaching the Gospel to the few scattered settlers, is claimed by many to have been the first Protestant who ever preached on Texas soil.

Texas Presbytery was organized November 27, 1837, with three ministers, to-wit, Sumner Bacon, Amos Roark, and Mitchell Smith, and four congregations.

R. O. Watkins was received as a candidate for the ministry. Texas Synod was organized in March, 1843, with three presbyteries and eleven congregations.

The fathers of the Cumberland Presbyterian Church in Texas shared the dangers and privations of the pioneers who made its early history in order that they might preach Christ, win souls and lay the foundation of their beloved Church. May we who have entered into the fruits of their labors prove equally faithful and self-denying.

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## **DAUGHTERS OF THE CONFEDERACY.**

**BY MRS. CONE JOHNSON.**

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"In ages hence in woman's heart will be  
A folded flag, a thrilling page unrolled,  
A deathless song of Southern chivalry."

Eight years ago, the organization of the United Daughters of the Confederacy, Minerva-like, sprang into existence from the brain of that noble Southern woman, Mrs. M. C. Goodlett, Nashville, Tennessee. The harvest was ripe, the need of organized womanhood in the South was pressing. The time had come for the women to take up the work of vindicating Southern principles, of teaching the youth that they must demonstrate, beyond a shadow of a doubt, that the South was forced into the war, and "fought for the preservation of guaranteed constitutional rights, and the North for the power to adapt the Constitution to its new doctrine and yet to maintain the Union." The objects of the organization are "historical, educational, memorial, benevolent, social, to fulfill the duties of chivalry to the survivors of the war and those dependent on them; to collect and preserve the material for a truthful history of the war; to unite with the Confederate veterans in the determination that American history shall be properly taught in the public schools of the State; to protect places of historical interest; to record the part taken by Southern women; to honor the memory of those who fell in the Confederate service; to erect monuments to the heroes of the Confederacy; to cherish ties of friendship among the members of the organization."

A nobler purpose never drew good women together. This is a work of simple justice to the South, to which the Daughters are pledged by all the ties of a sacred past and all the hopes of a glorious future.

"Truth once lighted up shines on everything around it," and the fire of truth has been kindled which is lighting up this old Southland of ours with a new and beautiful radiance. The growth of the U. D. C. in eight years to 25,000 women from New York to Texas and from the Pacific to the Atlantic, is marvelous. Texas proudly claims the distinction of having the largest Division of any State.

May 25, 1896, the Texas Division held its first meeting in Victoria, the guest of William P. Rogers Chapter, in response to a call by the Dallas, the charter Chapter of the State. This convention, composed of seven pioneer Chapters, nineteen accredited votes and less than 500 members, entered into permanent organization, adopted the Constitution and By-laws used by the Georgia Division, levied a tax, elected Mrs. Katie Cabell Currie, Dallas, President, with Mrs. Henry Sampson, Alvin, Secretary.

After the lapse of one year and seven months, the Division met with Veuve Jefferson Davis Chapter, Galveston, reporting the organization to have grown to seventeen Chapters. At this convention historical work was introduced, the erection of a monument to Gen. Albert Sidney Johnston was discussed, and other important work brought forward. This convention elected Mrs. Cornelia Branch Stone, of Galveston, President, and re-elected Mrs. Sampson Secretary. The third convention, held at Houston with Robert E. Lee Chapter, reported thirty-two Chapters, which indicated an added impetus and interest, the systematizing of all U. D. C. work in Texas, and the establishment of the Division on a firm and solid basis. Upon motion of Mrs. Tobin, the convention decided to petition the Legislature for an appropriation to erect a monument to Gen. Albert Sidney Johnston, and a committee of thirty-four was appointed. Mrs. Stone was re-elected and Mrs. J. M. Brownson, Victoria, was elected Secretary. The fourth convention was held with Albert Sidney Johnston Chapter, Austin, November, 1899. Reports indicated a great growth along all lines and a loving harmony and unanimity of feeling and spirit and an increase in Chapters to thirty-five. The Albert Sidney Johnston Committee reported good work without result. The President of the hostess Chapter, Mrs. Benedette B. Tobin, was elected President, and Mrs. Cone Johnston, of Tyler, Secretary. The fifth convention was held at Corsicana, Navarro Chapter, hostess. This convention reported an increase in Chapters reaching thirty-five, an increased interest in all lines of U. D. C. work. This convention witnessed a pleasing incident in the return of a Texas flag found or captured at Port Hudson in 1863, by Lieut.-Col. Lull, of the 8th New Hampshire regiment, whose widow came all the way to Texas to return this treasure. The Albert Sidney Johnston Chapter reported an unsuccessful effort to secure the appropriation, and the committee was increased to fifty. Mrs. Tobin was re-elected President, and Miss Kate Daffan, Ennis, elected Secretary. In the fourth month of this year (1901) Mrs. Tobin died, and the work was taken up by the Vice-President, Mrs. Cone Johnson. The 1901 convention, held at San Antonio, Barnard E. Bee Chapter, hostess, showed a still greater increase in Chapters, the number reaching ninety-two. The Albert Sidney Johnston Committee made an effort to secure an appropriation at the Regular

Session of the Legislature, but without success. The acting President, Mrs. Cone Johnson, at the Special Session, again brought the matter before the lawmakers and the Governor, having first aroused a healthy sentiment over the State, for its passage, and the happy result was the appropriation of ten thousand dollars for a monument to Gen. Johnston. Miss Dunovant, of Houston, was elected President, and Mrs. B. F. Eads, Marshall, Secretary. The 1902 convention will be held in Fort Worth, Julia Jackson Chapter, hostess. The first convention, 1896, reported seven Chapters and less than 500 members, the last and sixth reported ninety-two Chapters and 4,933 members. During these years the Daughters have been busy in historical and benevolent work; in a social way they have honored and entertained the veterans, have conferred crosses of honor on them, have remembered the veterans at the Confederate Home in many ways, have observed all memorial occasions, and have erected some handsome monuments. A history of the U. D. C. in Texas, and the great and abiding good accomplished, can not be compressed into the space of this article, but the main points given indicate a marvelous growth and universal interest. A history of the organization, however short, would be incomplete without touching on the work of Mrs. A. V. Winkler, Corsicana, State Regent Confederate Museum, Richmond, and Mrs. Mollie R. Macgill Rosenberg, Galveston, State Chairman Jefferson Davis Monument Fund.

Mrs. Winkler, overcoming many obstacles, has unaided raised funds for the beautifying of the Texas room at the Confederate Museum, until Texas can now view with pride and pleasure the room in which the loved "Daughter of the Confederacy" was born. No less zealous has been Mrs. Rosenberg in raising \$1,325.95 for the Jefferson Davis Monument, a greater amount than any other State except North Carolina. The Daughters of the Confederacy—theirs is a noble heritage. To them must we look for the true history of that great period of the South's career, and the preservation of the old Southern type of manhood and womanhood.

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## THE DAUGHTERS OF THE REPUBLIC OF TEXAS.

BY ADELE B. LOOSCAN, HISTORIAN D. R. T.

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The idea of organizing an association of the female descendants of the early Texans originated with Miss Hally B. Bryan and Miss Betty Ballinger, of Galveston. It was while reading together Yoakum's History of Texas in the summer of 1891 that, after discussing the matter with Col. Guy M. Bryan, father and uncle of the two ladies, and at that time President of the Texas Veteran Association, that they concluded to take the first steps toward the desired object. In company with Col. Bryan they called upon Mrs. Anson Jones and Mrs. Andrew Briscoe, both residents of Houston, members of the Texas Veteran Association, and identified with the early history of Texas through the services of their respective husbands and fathers, and secured their co-operation in the proposed organization. The first meeting was held in Houston, and from the minutes of this meeting I copy the following record:

"On the 6th day of November, 1891, in Houston, Texas, at the resi-

dence of Mrs. Andrew Briscoe, there was a meeting held for the purpose of organizing an association to be composed of the wives, daughters, and lineal female descendants of all pioneer persons eligible for membership in the Texas Veteran Association.

"The following sixteen ladies from Galveston, Brazoria county, and Houston were present, to wit: Mesdames Andrew Briscoe, Anson Jones, P. W. Gray, M. Looscan, M. G. Howe, J. M. O. Menard, W. E. Kendall, C. H. Hume, Jas. McKeever, W. R. Robertson, R. G. Ashe, Misses Betty Ballinger, Mary A. Bryan, Willie G. Ashe, Belle Fenn, and Mrs. Ernest Vasmer.

"Mrs. Andrew Briscoe was chosen Chairman and Miss Bettie Ballinger, of Galveston, Secretary of this meeting.

The following officers were elected to serve until the annual meeting of the Texas Veterans, at Lampasas, April 21, 1892:

"Mrs. Anson Jones, the widow of the late President of Texas, was unanimously elected President; Mrs. Andrew Briscoe, 1st Vice-President; Mrs. W. P. Ballinger, 2nd Vice-President; Mrs. W. E. Kendall, 3rd Vice-President; Mrs. E. H. Vasmer, Secretary; Miss Belle Fenn, Treasurer. Executive Committee of six: Mrs. M. Looscan and Miss Willie G. Ashe, of Houston; Mrs. J. M. O. Menard and Miss Bettie Ballinger, of Galveston; Misses Emily Perry and Hally Bryan, of Brazoria county, were elected and instructed to draw up a Constitution and By-laws.

"It was decided that this association should be named "Daughters of the Lone Star Republic," and that the badge should be a star. Mrs. P. W. Gray and Miss Ballinger were appointed a committee to select and design same.

"The Secretary was instructed to correspond with the members of the Texas Veteran Association with the view of obtaining the names and addresses of members of their families eligible to membership." [From minutes of November 6, 1891.]

The objects of the Association are briefly given in Article II of its Charter, as follows:

## II.

"Its objects shall be: (1) To perpetuate the memory and spirit of the men and women who achieved and maintained the independence of Texas.

"(2) To encourage historical research into the earliest records of Texas, especially those relating to the revolution of 1835 and the events which followed; to foster the preservation of documents and relics; and to encourage the publication of records of individual service of soldiers and patriots of the Republic.

"(3) To promote the celebration of March 2nd (Independence Day) and April 21st (San Jacinto Day); to secure and hallow historic spots, by erecting monuments thereon, and to cherish and preserve the unity of Texas, as achieved and established by the fathers and mothers of the Texas Revolution.

"This Association may have and hold by purchase, grant, gift, or otherwise, real estate on which battles for the independence of Texas were fought; such monument or monuments as may be erected thereon, and burial grounds where the dead who fought and died for Texas independence are buried; and personal property consisting of books, manu-



scripts and other historical records, relating to the early history of Texas and relics."

Its membership clause is comprised in Article VI, Section 1, of the Constitution.

#### ARTICLE VI.

"SECTION 1. Any woman may be eligible for membership who is of the age of eighteen years, and whose ancestors were of the Old Three Hundred, or were soldiers, seamen or civil officers of the State of Coahuila and Texas, who aided in establishing the independence of Texas, or served the Republic of Texas in maintaining its independence up to its annexation to the United States, February 19, 1846. Widows and wives of men who rendered such services are also eligible to membership."

The organization of Chapters was immediately begun. Sidney Sherman Chapter, of Galveston, organized at the residence of Mrs. J. M. O. Menard, electing officers and mapping out work during the same month. Their first object was the removal of the remains of President David G. Burnet and General Sidney Sherman from Magnolia Grove to Lakeview Cemetery; this was soon accomplished, and on March 2, 1894, a handsome monument erected over their graves was unveiled with imposing ceremonies. A pamphlet was published by the Chapter comprising the speeches, etc., made on this occasion.

San Jacinto Chapter, at Houston, organized and held its first meeting at the residence of Mrs. Briscoe on March 2, 1892. This Chapter adopted the care of the San Jacinto battle ground as its special work. The first meeting of the General Association was held at Lampasas, on April 21, 1892, simultaneously with the Texas Veteran Association, whose members gave generous encouragement to the work undertaken by the Daughters. It was decided at this meeting that the name of the Association, theretofore known as the "Daughters of the Lone Star Republic" be changed to "Daughters of the Republic of Texas." The badge of the Association is of gold. It is about one inch in diameter, circular in shape, the words "Daughters of the Republic of Texas" being engraved in the upper part of the circumference; their motto, "One and Indivisible," on the lower part, and "1836" and "1891" filling the spaces on each side between the name and motto. In the center a five-pointed star, one letter of the State's name in each point, and a Texas flag enameled in colors blue, white and red filling the body of the star.

Meetings have been held annually on the same dates and at the same places with the Texas Veteran Association, viz.: on April 21, 1892, at Lampasas; 1893, Houston; 1894, Waco; 1895, Houston; 1896, Galveston; 1897, Houston; 1898, Dallas; 1899, Temple; 1900, San Antonio; 1901, Austin.<sup>1</sup>

Besides the regular meeting held at Galveston, the Veterans and Daughters were twice invited to be the guests of the Chapter and City, first at the unveiling ceremonies of the monument to Burnet and Sherman already mentioned, and again in 1900 on the occasion of the unveiling of the monument to the Heroes of Texas, erected on Broadway, the gift of Henry Rosenberg, which stands a beautiful ornament to the city, a noble memorial to Texan valor, and a touching memento of the generous munificence and patriotism of the donor.

<sup>1</sup>The 1902 meeting was held at Lampasas.

The largest undertaking has been that of San Jacinto Chapter, which assumed that the State of Texas should own the battleground of San Jacinto. With that end in view, a grand bazar was held in Houston in December, 1894, in which they were assisted by all the other Chapters, and through which several hundred dollars was realized. The initial step in memorializing the Legislature to purchase the battleground was taken by Mrs. J. R. Fenn, first President of the Chapter, and by persistent effort on the part of Mrs. Max Urwitz and Mrs. J. J. McKeever, her successors in office, the long-cherished object has been accomplished, and the State to-day owns 337 acres of land in Harris, county, comprising the battlefield of San Jacinto. During the summer of 1901 a committee from San Jacinto Chapter, accompanied by Mr. John G. Winters, a veteran of the battle, visited the battlefield, and put down iron markers on the most important localities known to have been occupied by the respective armies.

Money for a monument to the men who fell at San Jacinto had been collected many years ago, and entrusted to the hands of Gov. F. R. Lubbock, which he had safely guarded, awaiting the time when he could see a prospect for the performance of his trust. Encouraged by the faithful and persevering work of the Daughters, to believe that to them belonged the performance of this work, he testified his confidence by turning over to San Jacinto Chapter, in May, 1901, the amount (\$1,501.20) to be used in the erection of a monument on the battlegrounds.

San Antonio, the home of De Zavala Chapter, bids fair to rival Boston in preserving for future generations the sites of historic events. The grave of Ben Milam, long neglected, if not unknown to the majority of its citizens, has been marked by this Chapter with the base of a fine monument, which, when completed, will bear a life-size statue in marble or bronze, modeled after an authentic portrait of the hero. During the year just passed two tablets have been placed in historic buildings, bearing the following:

Inscription of tablet on the Veramendi building:

"The Veramendi House.  
Where Ben Milam was killed,  
Dec. 7, 1835,  
And where Bowie won his bride.  
De Zavala Chapter  
Daughters of the Republic of Texas."

Inscription of tablet on the Hugo & Schmeltzer building, which is part of the old convent of the Mission San Antonio de Valero, and is adjoining the Alamo:

"Part of the Franciscan Mission  
San Antonio de Valero,  
With the Alamo and this square.  
The scene of heroism unsurpassed.  
De Zavala Chapter  
Daughters of the Republic of Texas."

The collection of relics has been carried on by all the Chapters, the Wm. B. Travis Chapter, at Austin, having specially assumed charge of this work, and they deserve the credit for having made the largest collection which has been placed in the State Capitol.

Sam Houston Chapter, at Lampasas, has co-operated specially with San Jacinto Chapter in fostering the objects of the latter.

Ben Milam Chapter, at Temple, and Sterling C. Robertson Chapter, at Waco, of more recent organization, are rapidly growing in numbers and interest.

The General Society has devoted itself to fostering the patriotic spirit in the schools of Texas by presenting pictures of two of her noted men, by giving gold and silver medals for best essays on historical subjects, by furnishing school programs for the celebration of Texas holidays, and by presenting Texas flags to the University of Texas and other schools.

By memorials to the Legislature through their Chairman, Mrs. J. B. Dibrell, they have procured the purchase by the State of life-size marble statues of Austin and Houston, the work of Elisabet Ney, to be placed in the Capitol at Austin, and a statue of Houston from the same model in Statuary Hall at Washington, D. C., while that of Austin, which will accompany it, will be paid for by voluntary subscriptions throughout the State. These two of the earliest statesmen of Texas will stand together in the National Capitol.

Officers elected at San Antonio, Texas, April 20, 1900: President, Mrs. Anson Jones, Houston; First Vice-President, Mrs. Mary J. Briscoe, Houston; Second Vice-President, Mrs. Rebecca J. Fisher, Austin; Third Vice-President, Mrs. C. B. Stone, Galveston;<sup>1</sup> Fourth Vice-President, Mrs. Kate S. Terrell, Dallas; Fifth Vice-President, Mrs. Walter Gresham, Galveston; Historian, Mrs. Adele B. Looscan, Houston; Secretary, Mrs. J. J. McKeever, Jr., Houston; Assistant Secretary, Mrs. Charles H. Milby, Harrisburg; Treasurer, Miss Belle Fenn, Houston.

*Executive Committee:* Mrs. Mary J. Urwitz, Chairman, 1902, Houston; Mrs. Adele B. Looscan, Houston, 1905; Mrs. Cornelia B. Stone, Galveston, 1904; Mrs. Charles H. Milby, Harrisburg, 1904; Mrs. Walter Gresham, Galveston, 1904; Miss Hally B. Bryan, Austin, 1905; Miss Bettie Ballinger, Galveston, 1904; Mrs. Joseph B. Dibrell, Seguin, 1904; Mrs. W. E. Kendall, Houston, 1905.

*Compiling Committee:* Mrs. J. J. McKeever, Jr., Chairman, Houston; Mrs. Charles H. Milby, Harrisburg; Mrs. W. E. Kendall, Houston; Mrs. Nelly F. Cox, Houston; Mrs. L. W. Craig, Houston.

*Officers of Chapters:* Sidney Sherman, Galveston, No. 1: Mrs. Cornelia Branch Stone, President; Miss Catherine Chambers Sturgis, Secretary; Mrs. T. K. Thompson, Treasurer. San Jacinto, Houston, No. 2: Mrs. J. J. McKeever, Jr., President; Mrs. C. B. Martin, Secretary; Mrs. Charles H. Milby, Treasurer. Wm. B. Travis, Austin, No. 3: Mrs. Rebecca J. Fisher, President; Miss Chloe L. Taliaferro, Secretary; Mrs. R. H. Connerly, Treasurer. Sam Houston, Lampasas, No. 4: Mrs. Tennie H. Hamilton, President; Mrs. Nannie H. Skinner, Secretary and Treasurer. De Zavala, San Antonio, No. 7: Miss Adina De Zavala, President; Miss Mary De Zavala, Secretary; Mrs. Herbert A. Jones, Treasurer. Ben Milam, Temple, No. 8: Mrs. Annie E. Minnis, President; Miss Myrtle Allen, Secretary; Mrs. O. P. Gresham, Treasurer. Sterling C. Robertson, Waco, No. 9: Mrs. Mary S. R. Harrison, President; Mrs. Hallie M. A. Dunklin, Secretary; Mrs. Mary J. McMullen, Treasurer.

<sup>1</sup>Elected at Austin, April 22, 1901, vice Mrs. W. E. Kendall, resigned.

## TEXAS INSTITUTE FOR THE DEAF AND DUMB, AUSTIN.

B. F. McNulty, Superintendent; salary, \$2,000 per annum, and in addition thereto provisions not to exceed \$500 per annum, and fuel, lights, water and housing for himself and family. Matthew M. Smith, M. D., Physician; Ralph Steiner, M. D., Aurist.

*Board of Trustees:* H. P. Hilliard President, I. P. Lochridge, Joe Koen, J. A. French and John E. Shelton.

Total appropriation for the institution for the six months ending August 31, 1901, \$32,562.09; for the two years ending August 31, 1903, \$221,520, the appropriation bills containing the following provision: " \* \* \* the interest on all securities held by the Deaf and Dumb and the Blind Asylum funds is hereby appropriated, the remainder to be paid out of the general revenue."

The latest report made to Governor Sayers by the Superintendent and Trustees is dated November 1, 1901, and covers a period of ten months (November 1, 1900, to September 1, 1901). In it Superintendent McNulty says:

"The number of pupils enrolled in all departments at the date of my last report was 346. Later accessions brought the enrollment for the term 1900-1901 up to 359. These were distributed as follows:

	<i>Girls.</i>	<i>Boys.</i>	<i>Total.</i>
Oral Department .....	76	92	168
Manual Department .....	75	116	191
Totals .....	151	208	359

"The average attendance for the period covered by this report was 343, only sixteen less than the entire enrollment for the year, a record in which we take especial pride. It has been our policy for several years past in every possible way to induce prompt entrance of the pupils at the opening of the school term, and continued attendance until the close in June. The result has been a marked improvement in the regularity of attendance, which cannot fail to have a most beneficial effect upon our school work.

" \* \* \* There were enrolled last year 83 new pupils. Of these, 66 were placed in the oral department, and 17 in the manual department. Of the former, ten were semi-mutes who had been taught more or less before coming to us, one in a school for the deaf in another State. Of the latter, several were too old to undertake teaching them speech, two came from schools in other States, and three were of feeble intellect. Most of those placed in oral classes have made satisfactory progress.  
\* \* \*

"There has been no material change in the methods of instruction. The policy adopted several years ago of teaching speech to every child capable of acquiring it has been adhered to as nearly as possible, the new pupils entered during the term being carefully classified. With proper conditions a majority of the deaf can be taught by oral methods. \* \* \*

"The work done in both the literary and industrial departments was

of an excellent character, and the teachers deserve great credit for their zeal and industry. Four of our pupils graduated last session and have gone out with head and hand well trained to take up the duties of active life. One of them passed the entrance examination into Gallaudet College, at Washington, D. C., and expects to pursue a course of higher studies there."

The trustees express themselves as well pleased with the conduct of the institution, state that money appropriated for repairs has been well expended, and urge the necessity for an appropriation for an additional building.

Dr. Smith says in the course of his report made to the Board of Trustees:

"I am pleased to say that from a hygienic and sanitary standpoint the institution is in a better condition than at any time since I have been the attending physician. Everything about the place has either been made new or overhauled and painted, and the beneficial results are apparent."

Dr. Steiner says in his report to the Board:

"I beg to report that the facilities at the institution for the treatment of ear, nose and throat cases have been much improved. In the early part of the session the clinics held three times each week consisted of from thirty to forty patients. This number decreased as improvement and cures were perfected.

"\* \* \* the results in both medical and surgical cases have been most gratifying, a fact I attribute not only to the care given by myself, but also to the interest shown by the Superintendent, and the careful attention given in every instance by the nurse in charge."

In concluding his letter transmitting his report, Superintendent McNulty expresses "grateful appreciation" to his "Excellency," Governor Sayers, "for kind advice in the management" of the institution.

The following historical and other information relative to the institution has been especially collected for the YEAR BOOK:

	Office.	Appointed.	Qualified.	Remarks.
J. Van Nostrand.....	Superintendent.....	Aug., 1856	.....	Continued superintendent until 1874.
Wm. E. Jones.....	Memb. B'd Trustees..	Sept. 11, 1856	.....	
Thomas Green.....	Memb. B'd Trustees..	Sept. 11, 1856	.....	Confederate General in the war between the States.
Edward Fontaine.....	Memb. B'd Trustees..	Sept. 11, 1856	.....	Resigned Feb. 16, 1857.
J. M. Litten.....	Memb. B'd Trustees..	Sept. 11, 1856	.....	
F. T. Duffau.....	Memb. B'd Trustees..	Sept. 11, 1856	.....	
John R. Costa.....	Memb. B'd Trustees..	Feb. 16, 1857	.....	Vice Fontaine.
James E. Shepard.....	Superintendent.....	Feb. 19, 1874	Feb. 21, 1874	
Henry E. McCulloch..	Superintendent.....	Mar. 1, 1876	Mar. 2, 1876	
Henry E. McCulloch..	Superintendent.....	July 29, 1878	July 29, 1878	Resigned.
John S. Ford.....	Superintendent.....	Sept. 1, 1879	.....	Vice McCulloch.
John S. Ford.....	Superintendent.....	Jan. 20, 1881	.....	
John S. Ford.....	Superintendent.....	Jan. 18, 1883	.....	Resigned to take effect Dec. 31, 1883.
Wm. Shapard.....	Superintendent.....	Dec. 5, 1883	Dec. 31, 1883	
W. A. Kendall.....	Superintendent.....	Feb. 1, 1887	Feb. 1, 1887	
W. A. Kendall.....	Superintendent.....	Apr. 17, 1891	Apr. 17, 1891	
W. A. Kendall.....	Superintendent.....	Feb. 10, 1893	Feb. 15, 1893	
A. T. Rose.....	Superintendent.....	Jan. 31, 1893	Jan. 31, 1893	
A. T. Rose.....	Superintendent.....	.....	Mar. 4, 1897	
B. F. McNulty.....	Superintendent.....	.....	Feb. 3, 1899	
B. F. McNulty.....	Superintendent.....	.....	Feb. 5, 1901	

The institution was established under an act passed by the Sixth Legislature, and approved August 20, 1856, by Governor E. M. Pease. It appropriated \$10,000 to be expended in renting suitable buildings and putting the institution in operation. Buildings were rented in South Austin, and it was opened in January, 1857, with Van Nostrand as Superintendent and Mrs. Snyder matron.

An act, approved August 30, 1856, set aside 100,000 acres each for the benefit of the Deaf and Dumb, Blind, Lunatic, and Orphan Asylums. There were nine pupils in the institution in 1857.

An act, approved February 5, 1858, appropriated \$7,500 for the purchase and improvement of a site. Superintendent Van Nostrand, in his annual report to Governor Runnels, says that \$5,500<sup>1</sup> was paid for land bought from Dr. S. K. Jennings and P. B. Calhoun, March 3, 1858 (part of the present site in South Austin); that \$25 was paid to George Flournoy, March 3, 1858, for examining title and drawing deeds; that \$567.61 was paid to Loomis & Christian for repairs on buildings; \$292.25 to F. Kuntz for a cistern; \$6.50 to S. B. Brush for zinc filters; \$998.44 to Loomis & Christian for constructing a fence, carriage-house, cistern-house, and stable, and \$110.20 to Loomis & Christian for putting up a corn crib and doing other work. The general appropriation bill, approved February 15, 1858, appropriated \$6,500 a year for the support of the institution during the years 1858 and 1859; and the appropriation bill for 1860 and 1861, \$9,000 per annum.

The institution is situated in South Austin, on the crest of a gently rising hill, in plain view of the city, and commands from the windows and balconies of its commodious buildings a superb view of wood and river and mountain and the beautiful Capital City. The natural drainage of the site is all that could be desired. The orchards, flower gardens, graveled walks and spacious park, with its growth of century old trees, supply surroundings calculated to arouse in the pupils by suggestion, those finer qualities of the mind and impulses of the heart that thrive best amidst such associations, that, like perfume to the rose, constitute the essence of true manhood and womanhood, and that, combined with education and religion, will enable them to prove victors in the struggles of life, and, in the last hour, conquerors of death and heirs of blessed immortality.

The following concerning the institution is from a "Circular of Information," published in connection with the report of November 1, 1901:

"The Texas School for the Deaf is an institution for the education of the deaf—not an establishment for the treatment of diseases of the ear. \* \* \*

"An applicant for admission must be of sound mind, good moral character, free from contagious diseases, between the age of nine and eighteen, and capable of attending to his own person—dressing and undressing, etc.—without assistance. \* \* \*

"The scholastic period is ten years, reckoned from date of admission. In case of pupils of very studious habits, and where promise of benefits may justify, the scholastic period may be extended by the concurrent judgment of the Superintendent and Trustees. \* \* \*

<sup>1</sup>The deeds are to John Marshall, J. M. Litten, F. T. Duffau, Thomas Green, and S. W. Goodrich, trustees, for 26.6 acres from Calhoun, consideration \$2,500, and for 31.1 acres from Jennings, consideration \$3,000.

"After admission, pupils must not, without the consent of the Superintendent, be withdrawn temporarily, nor detained at home after the beginning of the annual sessions. Such withdrawal, or detention beyond two weeks from annual opening, will work forfeiture of place, and re-admission must be by special explanation, re-application and consent. The advancement of the pupils and the highest efficiency of the school demand promptness and order. \* \* \*

"After admission pupils are supplied with everything except clothing, which must be furnished in sufficient quantity and suitable quality by the parents or guardian. The State does not pay fare on railroads. In case of real indigency, and only in such cases, assistance can be given toward clothing and traveling expenses. \* \* \*

"\* \* \* The annual sessions begin the second Wednesday in September, and close the second Wednesday in June."

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## INSTITUTE FOR DEAF, DUMB AND BLIND, COLORED YOUTHS.

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S. J. Jenkins, Superintendent; salary, \$1,500 per annum. Board of Directors: J. W. Hill, President, Chas. Stephenson, R. M. Thompson, W. H. Cullen, and S. P. Weisiger.

Total appropriation for the support of the institution for the six months ending August 31, 1901, \$12,475, of which \$500 was for deficiencies in the appropriation for the year ending February 28, 1901; for the year ending August 31, 1902, \$21,245. By oversight of the Legislature no appropriation was made for the year ending August 31, 1903, other than \$8,000 "for groceries and miscellaneous, including pay of the Board and mileage."

The following extracts are from the annual report of the Board of Trustees and Superintendent made to the Governor for the year ending August 31, 1901:

"Recognizing the importance, justice and necessity of making suitable provision for the education of those unfortunate colored youths whose infirmities debar them from the benefits of the public free schools, the Eighteenth Legislature \* \* \* appropriated \* \* \* \$50,000 for the purchase of grounds and erection of buildings for a school to be styled the 'Texas Deaf, Dumb and Blind Asylum for Colored Youths.' Under the provisions of the act establishing the school \* \* \* Governor L. S. Ross appointed Captain H. E. Shelley, Judge Z. T. Fulmore and Colonel W. M. Brown the first Board of Trustees, who selected the site for the Asylum. It is in the suburbs of the city of Austin, two and one-half miles northwest of the Capitol, and embraces one hundred acres of high undulating ground. At the time of the purchase by the State, the improvements consisted of a \* \* \* residence of eleven rooms, with outhouses and stabling. The price paid for the site and improvements was \$10,000. August 1, 1887, Governor Ross appointed W. H. Holland, of Austin, Superintendent.

"The first session of the Asylum was opened in this residence building

on the 17th day of October, 1887, with seventeen pupils and two teachers.

"\* \* \* Contract was immediately let for the erection of the Asylum building proper, and that handsome structure was completed in the spring of 1888 at a cost of \$17,940.

"This building, after ten years' occupancy, was declared unsafe, by reason of the settling of the foundations, and cracking of the walls. Contract for another was let August, 1897, which was erected at a cost of about \$18,000. It contains an office, a clinic room, a parlor, library, six recitation rooms, a double chapel, eight dormitories, two music rooms, lavatories, bathrooms, etc. \* \* \*

"All deaf, dumb or blind colored children in this State, between seven and twenty-one years of age, of sound mind, and free from contagious diseases, are entitled to admission to this school. The terms *deaf* and *blind* are held to include those who can not hear or see well enough to enable them to receive the benefits of the public free schools of the State."

The foregoing is correct in every particular, with the slight exception that Holland was appointed Superintendent fourteen days later than the date specified. He was appointed August 15, 1887, qualified August 17, 1887, and filled the position until succeeded by the present Superintendent, who was appointed January 19, 1897, and qualified February 6, following.

Enrollment of pupils for 1900-1901:

Blind boys .....	19	
Blind girls .....	19	
		<hr/>
Total blind .....		38
Deaf boys .....	29	
Deaf girls .....	23	
		<hr/>
Total deaf .....		52
		<hr/>
Total pupils .....		90

In submitting the report, the Trustees say:

"The Board of Trustees of the Deaf, Dumb and Blind Asylum for the Colored Youths of Texas are pleased to report that the progress of this institution during the past scholastic year has been highly satisfying, and the outlook for the coming year is equally pleasing. So far as we are able to judge, Superintendent S. J. Jenkins, with his well-selected corps of teachers, has managed the institution conscientiously and capably and deserves the praise of the people of Texas, and especially those of his own race. We believe the various teachers of the institution give the State their very best service in their respective departments, and that its standard is equivalent to any of the like institutions in the country for colored youth."



## DEPARTMENT OF EDUCATION.

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Arthur Lefevre, State Superintendent of Public Instruction; salary, \$2,500 per annum; ex-officio member of the following boards: State Text-Book Board and Board of Trustees of John Tarleton College.

W. C. Hixson, Chief Clerk; salary, \$1,625 per annum.

Regular office force, seven clerks. Appropriation for the support of the department (aside from the amount devoted to the maintenance of the public free schools) for the six months ending August 31, 1901, \$8,810; for the two years ending August 31, 1903, a total of \$32,620.

Included in the appropriation for six months was \$540 for extra clerk hire during the months of June, July and August, 1901, and \$100 to cover actual traveling expenses of the Superintendent incident to the discharge of official duties connected with the public schools.

The appropriation for two years includes \$380 per year for extra clerk hire, and \$250 per year for traveling expenses of the Superintendent.

\$3,464,500<sup>1</sup> were expended by the State for the support of the public free schools for the year ending August 31, 1901. This sum was supplemented by a total of \$1,055,500, raised by levying special local taxes, making the aggregate amount \$4,520,000.

Schools, other than those of independent districts, were maintained an average of 4.91 months, the school year ending August 31, 1901; schools in independent districts (two hundred and seventy-two towns) an average of 8.13 months. General average for all schools, 5.51 months. Total scholastic population for the year ending August 31, 1901: White, 564,574; colored, 164,791. Total enrollment in the public schools (including independent districts and children over and under school age): White, 518,202; colored, 136,565; total, 654,767. Total average daily attendance, 428,889: white, 339,068; colored, 89,585. Per capita apportionment, \$4.75. Total number of schools: Outside of independent districts, white 7,863, colored 2,627; independent districts, white 468, colored 213. Number of teachers: Outside of independent districts, white 9,862, colored 2,637; in independent districts, white 2,385, colored 490. Total estimated value of school houses and school furniture owned by deed to the State, county or school corporation: Outside of independent districts, white \$2,647,385, colored \$257,191; in independent districts, \$5,162,000. Number of counties operating under the district system, 191; under the community system, 33. Permanent school fund, \$22,000,000 and 20,000,000 acres of land valued at \$20,000,000. Available school fund for the year 1902, \$3,512,150.

It is optional with counties, possessing the requisites prescribed by law, to have County Superintendents of Public Instruction. The County Judge is *ex-officio* superintendent in counties where the office of County Superintendent of Public Instruction is not specifically created by the Commissioners Court.

<sup>1</sup>The figures given in this article were furnished (in response to request) by the Department of Education and, while given as "approximate" only, are as nearly absolutely correct as could be supplied.

**SUPERINTENDENT OF PUBLIC INSTRUCTION, STATE.**

	Appointed.	Elected.	Qualified.	Remarks.
Pryor Lea.....	Nov. 10, 1866	.....	.....	Appointed by Gov. Throckmorton. Removed Aug. 27, 1867, by Gen. Griffin.
Edwin M. Wheelock..	Aug. 27, 1867	.....	Sept. 12, 1867	Appointed by Gen. Griffin. The Constitution of 1866 provided for a superintendent, but Congress refused to accept it. The Constitution of 1845 and 1861 made no such provision. Consequently no office of the kind had legal, or quasi legal existence in Texas in 1867.
Jacob C. DeGress.....	May 6, 1871	.....	.....	Appointed by Gov. Ireland.
O. N. Hollingsworth..	.....	Dec. 22, 1873	Jan. 20, 1874	
B. M. Baker.....	May 6, 1884	.....	May 6, 1884	
B. M. Baker.....	.....	Nov. 4, 1884	Jan. 1, 1885	
O. H. Cooper.....	.....	Nov. 2, 1886	Jan. 18, 1887	
O. H. Cooper.....	.....	Nov. 6, 1888	Jan. 15, 1889	Resigned to take effect Sept. 1, 1890.
H. C. Pritchett.....	Aug. 25, 1890	.....	Sept. 1, 1890	Appointed by Gov. Ross.
H. C. Pritchett.....	.....	Nov. 4, 1890	Jan. 20, 1891	Resigned to take effect Sept. 15, 1891.
J. M. Carlisle.....	Aug. 29, 1891	.....	Sept. 15, 1891	Appointed by Gov. Hogg.
(Reappointed April 4, 1892, on the assembling of the Legislature and confirmed by the Senate April 8, 1892.)				
J. M. Carlisle.....	.....	Nov. 8, 1892	Jan. 19, 1893	Resigned to take effect July 1, 1901.
J. M. Carlisle.....	.....	Nov. 8, 1894	Jan. 15, 1895	
J. M. Carlisle.....	.....	Nov. 3, 1896	.....	
J. S. Kendall.....	.....	Nov. 8, 1898	Jan., 1899	
J. S. Kendall.....	.....	Nov. 6, 1900	Jan. 14, 1901	
Arthur Lefevre.....	May 15, 1901	.....	July 2, 1901	Appointed by Gov. Sayers.

Article 10, Section 10, Constitution of 1866: "The Governor, by and with the advice and consent of two-thirds of the Senate, shall appoint an officer, to be styled the Superintendent of Public Instruction. His term of office shall be four years, and his annual salary shall not be less than (\$2,000) two thousand dollars; and the Governor, Comptroller and Superintendent of Public Education shall constitute a board, to be styled a Board of Education, and shall have the general management and control of the perpetual school fund, and common schools, under such regulations as the Legislature may hereafter prescribe."

Article 11, Section 2, Constitution, 1869: "There shall be a Superintendent of Public Instruction, who, after the first term of office, shall be elected by the people. The first term of office shall be filled by appointment of the Governor, by and with the advice and consent of the Senate. The Superintendent shall hold his office for the term of four years \* \* \*."

Section 3: "It shall be the duty of the Superintendent \* \* \* to recommend to the Legislature such provisions of law as may be found necessary in the progress of time, to the establishment and perfection of a complete system of education, adapted to the circumstances and wants of the people of this State."

Article 7, Section 8, Constitution, 1876: "The Governor, Comptroller and Secretary of State shall constitute a Board of Education, who shall distribute said funds [specified in preceding articles] to the several

counties, and perform such other duties concerning the public schools as may be prescribed by law"

The office of State Superintendent of Public Instruction ceased with the adoption of the Constitution of 1876 (that instrument making no provision for its continuance), and was revived in 1884, not by constitutional amendment, but statutory enactment. During the eight years that intervened between 1876 and 1884, the following served as Secretaries of the State Board of Education: O. N. Hollingsworth, 1876-1883; B. M. Baker, 1883-1884.

Section 12, of the act of the Eighteenth Legislature, creating the office in 1884: "There shall be elected at each general election \* \* \* a State Superintendent of Public Instruction. \* \* \* Appeals shall always lie from the rulings of the State Superintendent of Public Instruction to the State Board of Education. \* \* \*."

Section 13: "The Superintendent shall be charged with the administration of the school law and a general superintendency of the business relating to the public schools of the State. \* \* \*."

Section 31 of an act passed by the Twenty-third Legislature and approved May 20, 1893: "The Governor, Secretary of State and Comptroller shall constitute a Board of Education, who shall hold their sessions at the seat of government. The Governor shall be *ex-officio* President of the board, and a majority of them shall constitute a quorum for the transaction of business."

Section 32: "The State Superintendent shall be *ex-officio* Secretary of the State Board of Education, and shall keep a complete record of all its proceedings, which shall be signed by the President of the board, and attested by the Superintendent."

Section 21: "The Superintendent shall hear and determine all appeals from the rulings and decisions of subordinate school officers. \* \* \* He shall prescribe suitable forms for reports required of subordinate school officers, \* \* \* and shall, from time to time, prepare and transmit to them such instructions as he may deem necessary for the faithful and efficient execution of the school laws. \* \* \* He shall examine and approve all accounts of whatsoever kind against the school fund that are to be paid by the State Treasurer, and upon such approval the Comptroller shall be authorized to draw his warrant."

Section 1 of an act to create a State Text-Book Board, passed by the Twenty-fifth Legislature and approved June 10, 1897: "\* \* \* the State Board of Education, together with the State Superintendent of Public Instruction, the President of the Sam Houston Normal Institute and the Attorney General shall constitute a Text-Book Board for the purpose of adopting a uniform system of text-books for the use of the public free schools of this State, and for the further purpose of executing the provisions of this act. \* \* \* the text-books so selected shall be used in the \* \* \* schools \* \* \* for a period of not less than five years from the date of their \* \* \* adoption." [The services rendered in this connection by the Superintendent were most important. His duties have steadily increased with the development of the public free school system.]

## EDUCATION IN SAN ANTONIO UNDER THE SPANISH REGIME.

BY I. J. COX.

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During the greater part of the eighteenth century the Spanish authorities in control of New Spain, under whom the northeastern frontier was extended, first to the San Antonio and later to the Sabine, seem to have been men after the heart of the gruff old Governor Berkeley, of Virginia. Like him, until the coming of Revilla-Gigedo in 1793, they could boast that there was not a single free school in all the dominion under their control. Of higher institutions of learning, with restricted curriculum and uncertain attendance, the capital indeed boasted of a few, mainly under the church auspices; but even these had been greatly injured by the expulsion of the Jesuits in 1767. If the majority of the viceroys took so little interest in educational matters in the very capital itself, how much less must have been their interest in such matters in the far-off province of Texas? Thus we note that at the time of the founding of the villa of San Fernando, adjoining the presidio of San Antonio de Bexar, the Marques of Casa Fuerte gives very full and explicit orders about the material and religious provision for the new villa, but says absolutely nothing about education; and his successors and their subordinates, for the greater part of the century, maintain the same silence.

Even this governmental indifference or hostility towards public education might have neutralized in some degree, had the proper class of settlers been introduced into the province; but those who came from the Canary Islands in 1731, though, generally speaking, the best element of the population, were far from being able to supply the lack of governmental initiative. The greater part of them were unable to read or write, and they displayed little ambition for self-improvement. Nearly half a century later the Commanding General scores the *cabildo* (town council) for their ignorance and quarrelsome disposition, while Father Morfi does the same for the generality of the inhabitants by saying that in all New Spain there was not a finer country nor a worse people.<sup>1</sup>

Such being the parents it is not at all surprising that Governor Cabello in a proclamation of 1781 should mention the "audacity" of the children as a marked characteristic and order the parents to restrain their children within their dwellings, although he does not offer to establish a public school as auxiliary to their efforts.

Even if officials and settlers alike seemed unconscious of the educational barrenness of their lot, it would seem that we might find some serious attempts toward education of a humbler sort among the mission fathers. Bancroft<sup>2</sup> quoting the report of Lopez on the missions (made in 1785) says that the Indians were taught to read and speak Spanish. A letter from the president of the missions, Fr. José Mariano de Cár-

<sup>1</sup>Report of Caballero de Croix, September 23, 1778; Mexico: Archivo General Historia, 43; Morfi: *Memorias para la Historia de Tejas*, Ble. IV; MSS. Bureau of Ethnology, Washington, D. C.

<sup>2</sup>North Mexican States and Texas, I, 657, *circ.*

denas, to the brother in charge of Espada, says that he is not to permit the neophytes to engage in any work upon buildings, or to *attend primary schools*, without previous permission from his superiors.<sup>1</sup> Probably they were taught a few simple religious ceremonies, but it is doubtful if much more was attempted by the friars. It was of more importance to train them to settled habits of life. Father Morfi relates that at the time of his visit (in 1778) the Indian governor from the Mission of San Antonio de Valero came to the Commanding General, De Croix, to ask the latter to order the establishment of a school for his children. For this temerity he was threatened with imprisonment by the father of the mission, and came to De Croix again next morning for protection. There must have been some effort towards educating the Indians of some of the missions, or this Indian would have known nothing of schools. The worthy father adds, however, "Report has it that the missionaries maintain the Indians in ignorance in order to be served by them as beasts."<sup>2</sup> If anything permanent is to be accomplished by missionary effort, we ordinarily expect it to be done by educational processes; but we see little evidence of these among the Texas missions. There was something of this sort, however, as we may learn from the "Diario" of another mission inspector, Fr. José de Solís. In visiting the Mission San José de Aguayo (in 1768) he is greatly attracted by the singing of the Indians, and speaks in most glowing terms of their improvement in other ways. He states expressly that the Indian boys and girls occupy themselves in going to school and prayer, but he does not go further into the details of either occupation.<sup>3</sup>

Thus, with indifference, or half-hearted efforts merely, on the part of Church and State, we see growing up in Texas on the banks of the San Antonio, a people who, in the language of Morfi, "abhorred all restraint and wished to live as the Apaches, their neighbors"—a truly pitiful outlook for the oncoming generation.

A few years later matters seem to brighten a little. In 1786 Don José Francisco de la Mata came from Saltillo to the villa of San Fernando. He tells us, in a later petition to the *cabildo*, that his heart was filled with pity in perceiving the lack of knowledge of the law of God and of Christian doctrine among the village youth, the greater part of whom did not know how to make the sign of the cross in a proper manner. They were fast growing up into vagrancy, spending their time in idleness, or in games and diversions equally valueless. His pity for their forlorn condition had led him to form a school for giving them such education as would teach them the proper service of Mother Mary, due respect for and submission to their parents, and conduct in accordance with the best interests of "this republic."

In order to further the interests of his school and secure its permanence, with more efficacy and zeal in his teaching, he petitions the *cabildo*, in 1789, to use its good offices with the village curate to interest the latter in his work. He wishes the curate to solicit the various heads of families to contribute to his annual salary the modest sum of 12 reales for each pupil. This sum he considers very just, seeing the great

<sup>1</sup>Portilla: *Apuntes para la Historia Antigua de Coahuila y Texas*.

<sup>2</sup>Morfi: *Viage de Indios y Diario del Nuevo Mexico*, p. 465; in *Documentos para la Historia de Mexico*, 2nd Series, Vol. I; Biblioteca Nacional, Mexico.

<sup>3</sup>*Diario de Fr. Gaspar José de Solís*; H. General, *Historia* 27, p. 271.

needs of the community, and taking into consideration the fact that the stipend in no way represents the value of his labor or the benefit to the children. He had "accommodated himself" to the above sum, in order to attract to his teaching all the children of the community. The above amount is necessary for his actual living expenses, so he implores their generous consideration of his statement.

At the same time he wishes to be authorized "to enter his school in the name of His Majesty (whom may God guard)," in order to prevent the interference of parents of the children when it is necessary to inflict his mild punishments. With such authorization he believes that he should be relieved of the embarrassment of having parents insulting him in a scandalous manner, with words and threats, in the very presence of their children; nor should the parents have the privilege of separating their children from his flock because of his gentle and salutary corrections. This policy on the part of parents had resulted not merely in loss to the children and the parents themselves, but had caused great inconvenience to the judiciary, and especially to the service of God, as intimated in the precepts of the holy fathers.

He asks that his petition be forwarded to the governor for the necessary approval. With his school thus duly authorized, the governmental authorities would, of course, have the power to lay down rules for its government and the teacher, in his turn, would obtain legal security from embarrassing interference on the part of parents.

The members of the *cabildo* readily granted the petition of the tender-hearted pedagogue, directing an appeal to the village curate to use his good offices with his parishioners to induce them to contribute towards the teacher's salary and to abstain from all interference with his discipline. They themselves felt a worthy zeal to have all the children taught, and they were not sure of anyone else to do the work aside from the petitioner. He, however, must obligate himself to teach for a term of years and fulfill his just obligations during that period. With their recommendation they forward the document to the Governor for his approval. The latter is readily given, but the document ends abruptly at this point, so we cannot further trace the result of this interesting primitive experiment in public school work.<sup>1</sup>

It seems possible to touch on the educational life of the villa of San Fernando only at rare intervals, doubtless owing to the fact that there was so little of it. Shortly after the opening of the new century we have another new element introduced into the situation—a Governor, Juan Bautista Elguezabal, who takes an interest in public education. In the course of a long order for the betterment of affairs in the province and villa, he orders the *alcaldes* and the *alguacil mayor* to see that parents placed their children in school, and to oblige them to do this under severe penalties, since this provision was of the greatest importance, both to religion and country.<sup>2</sup> The following year he stirs up the *cabildo* to further efforts in the matter. At the meeting of that body for January 20, 1803, the main subject for consideration was the foundation of a school and the selection of its master. For the latter place Don José Francisco Ruiz was selected. The name causes one to wonder

<sup>1</sup>Petition of Don José Francisco de la Mata, May 1, 1789, Bexar Archives.

<sup>2</sup>Article 15 of Proclamation of Juan Bautista Elguezabal, January 10, 1802, Bexar Archives.

if the new teacher is the son of the petitioner of '89. The thought becomes almost a certainty when we read further in the record of the above mentioned José Francisco Ruiz is to be excluded if he is judged incompetent, on account of minority, to perform the duties of the position. The house that meanwhile was destined for a school was that of the aforesaid Francisco. A special building was still a dream of the future.<sup>1</sup>

Before another decade had passed, even a special school building had become a reality. San Fernando has now dropped its previous title of villa for the more pretentious one of city, and must have public buildings to correspond. In 1811 855 *pesos* were turned over to Don Bicente Travieso (an illustrious name in the annals of the villa) to provide for the suitable building of a schoolhouse; and in the following year he submits his itemized account of expenditures to the president of the *junta* of government, Don Juan Manuel Sambrano. His account, with the thirty-one accompanying receipts, shows the expenditure of 843 *pesos* and 5 *reales*. The highest paid workman, a German master mason, received one *peso*, four *reales* per day; the public prisoners received three *reales* each per day, and other workmen an equal or somewhat higher figure. The prices for materials correspond with these: stone was one *peso* a cartload; adobe bricks, one *peso* a hundred, and sand, six *reales* a load. Many interesting economic facts can be learned from Don Bicente's carefully itemized statement and vouchers. The documents were passed upon by an auditing committee and declared correct.<sup>2</sup> For a description of the schoolhouse the reader is referred to the subsequent inventory.

An undated manuscript, but one evidently belonging to this period, containing rules for the good government of the people, says among other things that parents shall send their children, who have not yet passed the age of twelve, to the public school as soon as the establishment of this is completed. In the meantime, they are to keep them at home, trying to set them a good example and giving them the best instruction possible. Those of sufficient age are to be given suitable tasks, in order to keep them from becoming lazy and vagabond.

With the school building nearing completion, it was necessary that a code of rules should be formulated for its government, and the following is the result:

#### SCHOOL.

Having determined whether there may be a worthy person to take charge of it, who meanwhile may instruct the youth, he shall be dowered with seventy places, of which five necessarily ought to be free, and the rest paid for by those interested.

1. The aforesaid free places shall remain at the disposal of the one in charge of the school in order to nominate the children who ought to occupy them, he taking care that they are given to poor individuals of solemnity who are known to be of good disposition.

2. The seventy places shall be divided into the *able* and the *less able*, the first paying a *peso* and the second four *reales* each month. Although each pupil may be advanced in his classes, the method or order of his

<sup>1</sup>Act of Cabildo, January 20, 1803, Bexar Archives.

<sup>2</sup>Account submitted by Don Bicente Travieso, August 10, 1812, Bexar Archives.

payment should not be altered in any other way than is by this assigned to him; for the end is to avoid greater contributions from the poorer ones.

3. That the salary for the subsistence of the master shall be considered as thirty dollars per month.

4. The collection of the fund shall be in charge of one of the *alcaldes*, who, with the aid of the ward commissioners (*comisarios de Barrio*),<sup>1</sup> shall look after the permanence of the number of children that the school ought to have, and that there be at least a monthly allowance advanced, in order that the teacher may not lack subsistence, and that any surplus be turned into a general fund for the ordinary expenses of the school.

5. That one of the *Regidores* be charged to visit the school at least once a day, noting the infringements of the rules that he may observe, and applying the remedy that appears to him most opportune, as the case may demand.

6. That the books, paper, ink-stands, and copy-books be at the expense of those interested, as also the tables and seats in addition to those which may be existing in the schoolhouse.

Which points are those which we consider necessary for the useful establishment of this school, excepting those which appear convenient to the superior authorities.

JOSE ANTONIO SAUCEDO,  
JOSEF ERASEMNO SEGUIN.

San Fernando de Bexar, 10th of June, 1812.

The above rules indicate a slight step forward in the direction of free schools, possibly as a result of the leaven of revolution, just beginning to make itself felt. Ability to pay and not the advancement of the pupil, determined the individual contributions. The salary of the teacher was not extravagantly large, but it doubtless would compare favorably with the salaries paid in the backwoods of the United States at that time. Article four seems to imply a doubt as to the ability to pay even this salary at all times. The *alcalde* and commissioners and the *regidor*, who had charge of school matters, certainly would have had their hands full if they carried out their duties according to the letter: but more of that anon. Free text-books are by no means promised, and very likely it would have been difficult for the community to furnish its pupils with enough books of any sort.

Don Vizente [or Bicente] Travieso, in submitting his report of the cost of the schoolhouse had gone very much into detail with the various items. He even tells the number of keys to each door. With his very full report the following inventory stands in marked contrast:

Inventory and conveyance of the school-house and of the furniture in it, made by Don Ygnacio de los Santos Coy, to his successor, D. José Ygnacio Sanchez Castellano, in the following form:

First: a hall with platform, with two doors and one window; the key of one door being serviceable and the other broken, and the window without any lock.

A room adjoining said hall with its interior door without lock, and one small window, with bars only.

A wooden cross.

Four tables, one of them of lesser length.

<sup>1</sup>San Fernando had been divided into four wards in 1809.



Four benches, one of these from the previous school, and the three remaining of those which D. Vizente Travieso made.

Two rules, one of them with two measures lacking from each side, and the other with three lacking.

A barrel for carrying water, with five iron hoops.

A hoop loosened from the above barrel.

A wooden gutter.

A rawhide rope.

A trough of rough wood.

Thirteen A B C lists, the greater part of them interleaved.

NOTE.—In addition to the above their exists, in process of repair, in possession of D. Manuel Yudo a table of this school; and leaving nothing else to convey or receive, we sign this in this city of San Fernando de Bexar on the third of July, 1812.

Ygno. de los Santos Coy.

I received  
José Ygnacio Sanchez  
Castellano.

An examination of this list arouses some interesting speculations. Vizente Travieso had made out a careful itemized list of all articles furnished for the construction of the main hall and of the adjoining room. This list was accompanied by receipts accounting for the payment of all the money reported as expended. His accounts were not approved until August 10th, and yet the meagre inventory made more than a month previous shows almost none of these things. His name is mentioned as having made three of the tables, so the identity of the two buildings seems complete, aside from a similarity of description. There are a number of theories to account for the discrepancies in report and inventory, but the most reasonable one is sufficiently obvious.

In the following year came the exciting incidents attendant upon the Gutierrez-Magee Expedition and educational matters again languished. At an ordinary meeting of the *cabildo*, held January 9, 1817, it was determined to solicit gratuitous contributions from the parents to pay the schoolmaster of the city. On the back of the document recording the minutes of this meeting, appear the names of those from the South Ward, or *Barrio*, who made this contribution for 1819. The Baron de Bastrop heads the list with ten *pesos*; three contribute six *pesos* each; one, five; five, three; two, two; three, one; one, four *reales*; and one a fanega<sup>1</sup> of maize. The total money contribution amounted to fifty-five *pesos*, four *reales*. For the sake of the poor teacher, let us hope that the other wards made their voluntary contribution in a much more liberal manner.

These various educational attempts seem pitifully small, but we must remember that many of them were made during the revolutionary epoch of the first quarter of the nineteenth century—during a time when a naturally non-progressive people would have every reason to refrain from all efforts not absolutely necessary to mere existence. A report from the chapter-hall (*sala capitular*) of San Fernando, in 1822, says, that "owing to the vicissitudes of the time and the critical condition of this province, this city, the capital, is wholly lacking funds for the education of the youth, as well as erecting edifices of public utility and adornment." A still more striking commentary on the half-hearted efforts of the Spanish authorities in behalf of public education is seen in a later communication from San Fernando to the Governor of the State of Coahuila and Texas. At the time of the writing (1825) the

<sup>1</sup>The fanega equals about two bushels.

city entirely lacked any provision for public primary schools. The ayuntamientos had in some years promoted the establishment of schools, but had displayed little or no energy in keeping them up. We may thus account for the long silences following the shortlived activities concerning educational affairs. The salaries of teachers had remained unpaid in default of funds, while their work was still further hampered by the failure of the parents to support them in the question of discipline, or to interfere with their children's leaving school. To such a miserable condition was the city reduced, that it was doubtful if they could pay the traveling expenses of a teacher from Mexico, for they then had none of their own, or if a teacher would stay in such a decadent community.<sup>1</sup> Thus, after more than a century's occupation, this is the result of Spanish efforts towards education in Texas. But the palsied fingers of Spanish tyranny had just permitted New Spain to slip from its grasp, while the coming into Texas of the dauntless pioneer rulers of the North was to signalize her real intellectual awakening.

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### JOHN F. ELLIOTT.

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Col. John F. Elliott died at his home, 93 Cadiz street, Dallas, Texas, at 9:55 o'clock, Saturday night, February 3, 1901, after an illness of eighteen months duration. He was born in Mobile, Ala., July 14, 1835; was a graduate of Spring Hill College; served as an employe of a banking firm for several years; enlisted in the Confederate army as a volunteer in the first company organized in New Orleans (that of Captain Charles Drew, the first Confederate officer killed in the war); served first at Pensacola, Florida, and later (under Magruder) in Virginia; was Lieutenant of heavy artillery at the siege of Vicksburg; engaged in business at New Orleans after the war; married in 1866, at Claiborne, La., Miss Alice Pettibone, who died in 1878; was on the editorial staff of the Philadelphia (Pa.) *Press* for several years; moved to Galveston in 1874, and in 1878 to Dallas, where he acquired an interest in and became editor of the *Dallas Daily Herald*; was Commissioner-in-Chief from Texas to the New Orleans Exposition in 1884; moved to Washington City in 1885, on the *Dallas Daily Herald* being absorbed by the *Dallas Morning News*, and remained there two years, during which time he married Miss Ada Stewart, who died in February, 1892, leaving him two children; returned to Dallas and engaged in the land and loan business until 1894, when he purchased the *Dallas Times-Herald*, of which he continued editor until the fall of 1899, when he sold the paper, failing health compelling him to retire from active pursuits.

Four children survive him: Wm. W. Elliott, of Corsicana, Adele, Stewart, and Ada. He was a member of the Masonic and I. O. O. F. fraternities.

His speech at the New Orleans Exposition attracted wide and favorable attention to Texas.

He was one of the organizers of the Texas Press Association, and was a noteworthy figure in Texas journalism.

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<sup>1</sup>Saucedo to Governor of State, 1825. This document, as well as all those referred to or quoted since note 8, belongs to the Bexar Archives. At present no more exact reference to documents of this collection is possible.

## ENCAMPMENT.

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A State encampment of the Volunteer Guard was held at Camp Mabry, near Austin, July 18-27, 1901, Maj.-Gen. L. M. Oppenheimer, commanding. The following facts are gleaned from Gen. Oppenheimer's report to the Governor:

Total officers and men in attendance, 2,392—among the officers, Brig.-Gen. Wm. H. Stacey, aides and brigade staff; Major B. F. Delameter, 1st Infantry, commanding Cos. A, B, C, D, E, F, H, K, L, and band; Colonel Gordon Boone, 2nd Infantry, commanding Cos. A, B, E, F, G, H, I, K, L, M, band and signal corps; Brig.-Gen. A. P. Wozencraft, aides and brigade staff; Colonel P. C. Townsend, 3rd Infantry, commanding Cos. A, B, C, D, E, F, G, I, K, L, M, and band; Lieut.-Col. Cecil Lyon, commanding Cos. A, B, C, D, E, F, G, H, K, L, band, trumpet and signal corps; Major C. Towles, commanding squadron composed of Troops A, C, and D, 1st Cavalry; and Major L. S. Flateau, commanding battalion of 1st Artillery, composed of batteries A and C.

"I give it as my opinion," says General Oppenheimer, "that the State encampment for 1901 showed a greater degree of military efficiency in every practical detail than any in the past coming under my supervision. The general deportment of men and officers while in camp contributed greatly to this condition, which facts are, of course, due to experience, and the constant efforts of our Adjutant General [Thos. Scurry] to bring about these results. The field experience of many of our officers in the Spanish war demonstrated to them that the "pomp and circumstance of war," such as parades, reviews, and other ceremonies, were of no practical value in the field and they paid more attention to practical duties and influenced officers of less experience to imitate their example. The Volunteer Guard is more thoroughly informed and equipped than at any time in its history, a fact due to the continued efforts of Gen. Scurry, our Adjutant-General. \* \* \*

"A sham battle was had on July 25th in accordance with a plan formulated by Captain G. G. Gatley, U. S. A. I am more than pleased to report that it simulated actual conditions more closely than the impossible, meaningless functions heretofore had at our camps that might properly be termed shams in every sense of the term. There were no casualties, I am very happy to state."

In a report to Governor Sayers, November 1, 1901, Adjutant-General Scurry says, relative to the encampment:

"The citizens of Austin subscribed \$5,500 to assist the State in defraying the expenses of the encampment of the Texas Volunteer Guard. The agreement with the citizens was to the effect that the appropriation made by the Twenty-seventh Legislature for the encampment should be exhausted before using the fund subscribed by them, and if any actual service should afterwards be required of the Volunteer Guard, the balance, if any, of amount subscribed should be used to pay for such actual service.

**"STATEMENT.**

"Amount placed in the hands of the Adjutant-General by the citizens of Austin.....	\$ 5,500 00
"Amount appropriated by the Twenty-seventh Legislature..	5,000 00
	<hr/>
	"\$10,500 00"

**"DISBURSEMENTS.**

"Pay, subsistence and transportation of Volunteer Guard in actual service, and other military expenses.....	\$ 2,045 67
"Expenses of encampment of Volunteer Guard at Camp Mabry, July 19 to 27, 1901, inclusive.....	8,168 07
"Amount refunded to the citizens of Austin.....	286 26
	<hr/>
	"\$10,500 00"

Among the recommendations made by General Oppenheimer was one "That his Excellency, the Governor, be requested to consider the claim of the Texas Volunteer Guard for an appropriation sufficient for payment of the expenses of an annual camp of instruction, including transportation. The State should no longer assume the attitude of copartnership with any of our cities in contributing towards the amount necessary for defraying the expenses of a camp, nor should the railroads be expected to contribute the entire item of transportation. \* \* \* I believe that if the Legislature of Texas will give the claims of the Texas Volunteer Guard due and impartial consideration, that it will give us at least \$20,000 every year, and I respectfully recommend that his Excellency, the Governor, if he approve of said amount, submit our claims for such appropriation."

The Twenty-seventh Legislature appropriated \$10,000 a year for the two years ending August 31, 1903, "provided," to quote the language of the general appropriation bill, "if any city in this State shall subscribe \$10,000 for said encampment the city subscribing \$10,000, or more, shall have the encampment, and the \$10,000 herein appropriated for the encampment secured by the largest bidder, shall lapse into the treasury: and provided further, that the Governor and Adjutant General shall make the award to the largest and best bidder."

**FAIRS.****Texas State Fair, Dallas.**

The sixteenth annual fair, exposition, and race meet of the Texas State Fair was held on its grounds, city of Dallas, September 28 to October 13, both days inclusive, and was one of the most successful in the history of the association.

The fair has been of incalculable benefit, not only to Dallas, but to Texas. Its popularity has grown steadily from year to year, keeping even pace with its increasing excellence. The first days of the enterprise, as of many great undertakings, were dark days, but the faith, courage and unselfish liberality of a few men banded together for the

accomplishment of a fixed purpose have prevailed and the organization is now, and has for some time been, on a solid financial bottom.

The association has never paid a dividend to stockholders, nor is it intended that it ever shall. It is not a private, money-making enterprise, but a great public institution, whose power as an instrument for the material development of Texas, and as a source of pleasure, it behooves all Texans to help augment.

The present association is the outgrowth of the "Dallas State Fair and Exposition Association," chartered in January, 1886, under whose auspices the first annual meeting was held October 26 to November 6, 1886. The officers in 1886 were J. B. Simpson, president; J. S. Armstrong, vice-president; E. M. Reardon, treasurer; Sidney Smith, secretary and manager; Mrs. Sidney Smith, superintendent ladies' department; board of directors: J. B. Simpson, W. J. Keller, J. M. Wendelken, T. L. Marsalis, W. H. Gaston, J. S. Armstrong, Alex. Sanger, and B. Blankenship.

Reorganization was effected in April, 1900, and the name of the present corporation is "Texas State Fair," and the officers for 1902 are as follows: W. H. Gaston, president; J. T. Trezevant, vice-president; J. B. Adoue, treasurer; and Sidney Smith, secretary and general manager.

The *Illustrated Industrial World* said in 1899:

"Since its organization, fourteen years ago, it has paid out more than \$750,000 in premiums, purses, and attractions, and more than \$500,000 in buildings and general improvements, \* \* \* to say nothing of the many millions of dollars left in the State of Texas by the 2,500,000 visitors it has brought to and entertained on its grounds. \* \* \*

"Its grounds and buildings contain 120 acres; it has a full mile regulation trotting track and a seven-eighths of a mile running track; its grand stand will seat 5000 persons; it has five miles of graveled walks and drives through the grounds, which are protected by shade trees and adorned by ornamental shrubbery and smiling flower beds.

"Its exposition building contains 70,000 square feet of floor space; its machinery hall contains 30,000 square feet, and its implement and vehicle departments have more than 80,000 square feet; its poultry department has room for 3500 birds; its live stock department has stalls for 500 head of cattle, 300 head of exhibition horses, 750 head of hogs, and its racing department has 580 box stalls for the accommodation of the buyers that annually visit its racing department."

#### **The San Antonio International Fair, San Antonio.**

The picturesque city of San Antonio, cosmopolitan and aggressive, and, at the same time, invested with all the quaint charm pertaining to an old Spanish community rich in architectural memorials left by a vanished civilization, has steadily grown in favor for a decade or more past as a winter resort for people of wealth from the Northern and Eastern States. It is, also, headquarters for the United States military department of Texas, and has one of the best equipped posts (Fort Sam Houston) in the Southwest. As a manufacturing and trade center it is a city of the first importance.

The people are noted equally for business enterprise and energy, and for hospitality and that love of pleasure that, in a wider arena, have made Paris, the capital of France, the most brilliant and popular metropolis in the world, and one of the most prosperous as well.

The annual "Battle of Flowers" at San Antonio draws thousands of people from all parts of Texas and neighboring States, but the greatest attraction is the fair held each year by the "San Antonio International Fair Association.."

In reply to a letter requesting information regarding this organization Mr. J. M. Vance, secretary of the Association, writes:

"The officers of the association are: Vories P. Brown, president; Jno. W. Kokernot, vice-president; T. C. Frost, treasurer; and J. M. Vance, secretary. The fair was organized in January, 1899, and was incorporated under the laws of Texas with a capital stock of \$50,000 divided into 5000 non-assessable shares at \$10 per share. The capital stock was increased to \$75,000 in 1901.

"The following parties organized the fair association: Geo. W. Brackenridge, T. C. Frost, Chas. Hugo, H. D. Kampmann, Otto Wahrmond, Frank Arnold, J. D. Straus, Frank Grice, F. A. Piper, J. M. Vance, V. P. Brown, Jno. W. Kokernot, and W. Wiess.

"We have held three successful fairs. The first, October 28, to November 8, 1899; paid attendance 67,177; receipts, including subscription to stock, \$66,249; expenditures, \$63,567, most of which was put into permanent improvements on the grounds.

"The second fair was held October 20 to November 2, 1900; paid attendance about 72,000; receipts, \$66,055; expenditures, about \$69,000.

"The third fair was held October 19 to October 30, 1901. This was our most successful fair. Attendance about 80,000; receipts, \$55,292; expenditures, \$51,885. The receipts for the first two years were larger than for the last on account of subscriptions made by shareholders, amounting to nearly \$60,000.

"Our exhibits included everything usually shown at fairs in the way of live stock, agricultural products, art and ladies textile and culinary work. Our live stock show last year was the largest ever held in the South, there being over 2000 head of registered stock on the grounds. Our poultry show was as large as any ever held in the State. We had an extensive fish and game exhibit from the coast, which was shown in our large refrigerator operated by our cold storage plant. We also had a very fine exhibit furnished by the Mexican government.

"The dates for the fair of 1902 have not as yet been set, but very likely will be October 18th to 29th, inclusive. We intend this year to have a much larger fair and better than we have held before. Our premiums will be larger and we will also endeavor to secure a much larger exhibit from the Mexican government and make this one of the leading features of our fair.

"Our association is in a very prosperous condition. We have assets to the amount of \$108,000, including the land and improvements, all paid for with the exception of \$15,000 due on the land. This has three years to run at five per cent. interest, but we expect to wipe out this debt this year if possible."

"San Antonio," said the announcement for 1901, "is most favorably situated for holding a large annual fair, as all the country east and north of this city is a good farming country, and the vast scope of country south and west of San Antonio is the best stock raising and stock farming country in the world. \* \* \*"

## FEDERATION OF WOMEN'S CLUBS.

BY MRS. PERCY V. PENNYBACKER.

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The Texas Federation of Women's Clubs was organized with a membership of thirteen clubs on April 13, 1897, at Waco. The first annual meeting was held in Tyler, April, 1898; the second in Galveston, April, 1899; the third in San Antonio, April, 1900; the fourth in Dallas, May, 1901.

Instead of the thirteen original clubs, the Federation now enrolls 135 clubs representing a membership of 3500 earnest women.

The work of the Federation is carried on by means of thirteen standing committees: Art, Library, Printing, Reciprocity, Town Improvement, Music, Household Economics, History, Badge, Program, Club Extension, Lecture, and Education.

The first work undertaken was the establishment of public libraries. In 1897 there existed only six library organizations, five of which owed their existence to women's clubs. Today, through the zeal and energy of her club women, Texas has over fifty library organizations. The Federation has two small traveling libraries, one devoted to United States History, the other to Texas History; these libraries are kept in constant use, the beneficiaries being small clubs in small towns that have no public libraries. While encouraged with this beginning, yet the club women realize that it is but a beginning of the great work before them: they are now striving to create public sentiment that will demand a State Library Commission, State aid for traveling libraries, and municipal taxation for local free libraries.

Efforts toward town improvement have resulted in the planting of many trees, in the opening of a few parks, in the clearing and beautifying of school grounds in some places, in the establishment of a score or more of Rest Rooms for the wives and children of farmers, and in the formation of civic societies that make Texas towns wholesome and beautiful. So much yet remains to be done in this department that one might become discouraged did he not realize that 3,500 women united in an altruistic movement can accomplish the seemingly impossible.

For two years the Federation has sent out to all clubs paying a small fee a Traveling Art Gallery. Last year the circuit embraced about thirty-five clubs, this year over sixty clubs enjoyed the exhibit; last year the pictures were reproductions of the works of the great masters, this year the collection is made up entirely from American artists. The school children in each town are made guests of honor and are most appreciative spectators. Through the formation of Public School Art Leagues, much has been done to adorn our school rooms with the best in pictures and statuary.

Clubs in San Antonio and Fort Worth have done efficient work in household economics. Trained teachers are employed, who have charge of domestic science kitchens, giving lessons in cooking, dietetics, and home sanitation. Special efforts have been made to impart this practical cult to the mothers of the poor.

The Federation has recommended legislation on the better protection of birds, and restrictive license on cocaine. An effort will be made next year to bring these issues before the Legislature.

The Federation has not been idle in educational matters. It aided in securing the establishment of an Industrial School for Girls. At the Dallas meeting the Federation warmly espoused the cause of a Woman's Building for our State University. After plans had been carefully laid, each club was asked personally to interview Senators and Representatives in behalf of the \$55,000 appropriation desired by the University Regents. There was rejoicing in club circles when the Legislature granted \$50,000 for the Woman's Building.

Realizing that our schools have no greater need than a closer co-operation between parents and teachers, the Federation encourages the formation of Patrons' Clubs, where fathers, mothers, and instructors may learn to know and understand each other. The organization of such clubs will be made a special feature of this year's work.

The State has been (November, 1901) divided into five club districts, a Vice-President of the Federation to preside over each. District meetings will be held annually, thus bringing the Federation work directly home to every section of the State.

The material benefits arising from such an organization as the Federation may be measured, but who can estimate the spiritual results that come from an alliance of thousands of women who are devoting their energies to making life broader, richer, fuller—not for themselves alone, but for all citizens of their beloved State, Texas.

Officers at First Annual Meeting, held at Tyler, 1898: President, Mrs. Edward Rotan, Waco; 1st Vice-President, Mrs. J. C. Terrell, Fort Worth; 2nd Vice-President, Mrs. A. C. Ardrey, Dallas; 3rd Vice-President, Mrs. M. Looscan, Houston; 4th Vice-President, Mrs. J. J. Arthur, Austin; 5th Vice-President, Mrs. C. L. Cobb, Denison; 6th Vice-President, Mrs. W. A. Ponder, Denton; Recording Secretary, Mrs. Geo. K. Meyer, Dallas; Corresponding Secretary, Mrs. J. D. Thomas, Waco; Treasurer, Miss Hallie Halbert, Corsicana.

Appointive Members Executive Board: Mrs. S. G. Warner, Tyler; Mrs. W. D. Christian, Terrell; Miss Bettie Ballinger, Galveston.

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Officers second Annual Meeting, held in Galveston, 1899: President, Mrs. Edward Rotan, Waco; 1st Vice-President, Mrs. J. C. Terrell, Fort Worth; 2nd Vice-President, Mrs. R. H. Brown, Tyler; 3rd Vice-President, Mrs. J. W. Stayton, Cuero; 4th Vice-President, Mrs. J. J. Arthur, Austin; 5th Vice-President, Mrs. W. A. Ponder, Denton; 6th Vice-President, Mrs. John Church, McKinney; Corresponding Secretary, Mrs. J. D. Thomas, Waco; Recording Secretary, Mrs. Geo. K. Meyer, Dallas; Treasurer, Mrs. Jas. F. Roseborough, Marshall.

Additional members of Executive Board: Mrs. S. G. Warner, Tyler; Mrs. W. D. Christian, Terrell; Miss Bettie Ballinger, Galveston.

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Officers of Third Annual Meeting, held at San Antonio, 1900: President, Mrs. J. C. Terrell, Fort Worth; 1st Vice-President, Miss Eleanor Brackenridge, San Antonio; 2nd Vice-President, Mrs. Sidney Smith,



Dallas; 3rd Vice-President, Mrs. Mary B. Ramsey, El Paso; 4th Vice-President, Mrs. V. O. King, Austin; 5th Vice-President, Mrs. Henry Ring, Houston; 6th Vice-President, Mrs. W. D. Christian, Terrell; Corresponding Secretary, Miss Anna Chilton, Fort Worth; Recording Secretary, Mrs. Emma Sayles, Abilene; Treasurer, Mrs. J. W. Hale, Waco; Auditor, Mrs. Geo. Foster, Dallas.

Appointive members Executive Board: Mrs. Wm. Hemming, Gainesville; Mrs. A. C. Ardrey, Dallas; Mrs. Andrew Mills, Galveston; Mrs. E. C. Wicker, Greenville.

Mrs. Ardrey died within six months after appointment, and Mrs. Hemming was appointed to fill the vacancy thereby occasioned.

Officers of the Fourth Annual Meeting, held in Dallas, 1901: President, Mrs. J. C. Terrell, Fort Worth; 1st Vice-President, Miss Eleanor Brackenridge, San Antonio; 2nd Vice-President, Mrs. Sidney Smith, Dallas; 3rd Vice-President, Mrs. Cecil Smith, Sherman; 4th Vice-President, Mrs. J. D. Osborn, Cleburne; 5th Vice-President, Mrs. W. F. Beers, Galveston; 6th Vice-President, Mrs. Edmund Key, Marshall; Corresponding Secretary, Miss Anna Shelton, Fort Worth; Recording Secretary, Miss Emma Sayles, Abilene; Treasurer, Mrs. G. A. Brown, Vernon; Auditor, Mrs. Charles T. Bonner, Tyler.

Secretary of General Federation W. C., Mrs. Annie McLean Moores, Mt. Pleasant.

Appointive Members Executive Board: Mrs. Henry F. Ring, Houston; Mrs. Percy V. Pennybacker, Austin; Mrs. Wm. E. Christian, Terrell.

Honorary Members: Mrs. Edward Rotan (Perpetual *ex-officio* member of Executive Board), Waco; Mrs. E. P. Turner, Dallas.

Officers for 1901 and 1902: President, Mrs. Percy V. Pennybacker, Austin; Vice-Presidents: Mrs. Cornelia B. Stone, Galveston; Mrs. J. D. Osborn, Cleburne; Mrs. John B. Goodhue, Beaumont; Mrs. Edmund Key, Marshall; Miss Ella Cockrell, Abilene; Mrs. Milton W. Simms, Bryan; Corresponding Secretary, Miss Nola Ellen Dilworth, Austin; Recording Secretary, Mrs. W. A. Johnson, Greenville; Treasurer, Mrs. G. A. Brown, Vernon; Auditor, Mrs. F. B. Boydston, McKinney.

State Secretary General Federation W. C., Mrs. Annie McLean Moores, Mt. Pleasant.

Appointive Members of Executive Board: Mrs. Cecil Smith, Sherman; Mrs. P. H. Swearingen, San Antonio; Mrs. Chas. T. Bonner, Tyler.

Honorary Members: Mrs. Edward Rotan, Waco (Perpetual *ex-officio* Member Executive Board); Mr. Edward Rotan, Waco; Mr. E. P. Turner, Dallas; Capt. J. C. Terrell, Fort Worth.

## FISH AND OYSTER COMMISSIONER.

Office created by an act of the Twenty-fourth Legislature, which was presented to the Governor April 26, 1895, and became a law without his approval.

I. P. Kibbe, Fish and Oyster Commissioner; salary, \$1,800 per annum. Appropriation for the six months ending August 31, 1901, \$900 for salary, \$300 for office rent, traveling and other expenses; for

the two years ending August 31, 1903, a total of \$3,600 for salary, and \$1,200 for office rent, traveling and other expenses.

In his report to the Governor, October 23, 1901, for the year ending August 31, 1901, Mr. Kibbe says:

"By referring to last report you will see that there is quite an increase in fish and oysters within the last year, the enclosed showing a total of \$408,423.68, while the report for last year shows \$332,732.14, a gain of over twenty-two per cent., regardless of the storm and freshets we had last year.

"The small amount of licenses collected is due to the defect in the law, which was remedied by the Twenty-seventh Legislature.

"I am pleased to say, since the last amendments went into effect we are having less trouble enforcing the law in some localities, while in others we are having some trouble.

"The report was delayed in order to get statistics from the dealers, some of which reached me as late as this week."

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### L. L. FOSTER.

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At the time President of the Agricultural and Mechanical College of Texas, died at the St. George Hotel, Dallas, Texas, at 4:30 a. m., December 2, 1901, having suffered a relapse from an attack of pneumonia. His son, Joseph L. Foster, was with him at the time. The remains were escorted to the depot by members of the Masonic fraternity and sent to Bryan in charge of his son. The funeral took place at College Station December 3rd. Among the State officials present were Gov. Joseph D. Sayers, Comptroller R. M. Love, Land Commissioner Chas. Rogan and Commissioner of Agriculture, Insurance, Statistics and History Jefferson Johnson.

Col. Foster was born near Cumming, Forsyth county, Georgia, November 27, 1851, and when eighteen years of age came to Horn Hill, Texas, and worked as a farm hand and at other manual labor to earn a maintenance and to enable him to enter Waco University, where he stood high in all his classes and acquired a fair English education.

In November, 1873, he removed to Groesbeck, and November 19, 1876, began the publication of the *Limestone New Era*, as editor and proprietor.

In 1880, 1882 and 1884 he was elected by the people of the Fifty-second District, composed of Limestone, Falls and McLennan counties, to the Seventeenth, Eighteenth and Nineteenth Legislatures, and was chosen by his colleagues Speaker of the House of Representatives of the last named body.

January 20, 1887, he was appointed Commissioner of Insurance, Statistics, and History by Governor L. S. Ross, and was reappointed by Governor J. S. Hogg January 22, 1891. May 5, 1891, he was appointed a member of the newly created Railroad Commission of Texas by Governor Hogg, was reappointed to that office April 4, 1892, and January 30, 1893, serving until April 29, 1895, when he was succeeded by N. A. Stedman. He was thereafter General Manager of the Velasco Terminal

Railway until he resigned the position to take an active part in the gubernatorial campaign of 1898 in the interest of Hon. Joseph D. Sayers. During the summer of that year, Col. Foster was elected, by the Board of Directors, President of the Agricultural and Mechanical College of Texas, to succeed ex-Governor L. S. Ross, deceased, and surrendered the chairmanship of the Sayers Central Campaign Committee to Mr. E. M. House, who ably and successfully discharged the duties it involved.

Col. Foster was married to Miss Laura Pender, at Groesbeeck, January 2, 1875. His widow and seven children survive him: Joseph L., Walter D., Edna, Henry L., Jacob L., Maxey, and May A.

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## FRUIT AND TRUCK GROWING IN TEXAS.

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These industries are rapidly assuming large proportions. Nearly every fruit, vegetable, and nut known to the temperate zone can be profitably grown in Texas, owing to favorableness of climate, transportation facilities and good home markets.

The following extracts are from a publication entitled "Money Crops," issued in 1901 by the passenger department of the Houston East & West Texas Railway:

"The general fruit belt of Texas covers an area of territory equal in extent to the States of Missouri and Kansas. \* \* \* Nearly every section of the State, however, will produce certain varieties of fruits.

"Texas is more favorably located for fruit growing than California, yet she is far behind that State in the development of her horticultural possibilities. The fruit growers of Texas are just beginning to appreciate the fact that fruit growing pays better in Texas than any State in the Union.

"\* \* \* Mr. E. W. Kirkpatrick, of McKinney, a well known fruitman and nurseryman, says:

"There are thousands of acres of Texas lands, especially in East Texas, which can be made to produce a net acreage annual profit of \$50 to \$100 per acre. Take the red lands of East Texas, near railroads, plant to commercial orchards of peaches, plums, figs, pears and apples, and between rows grow strawberries, dewberries, blackberries, tomatoes, cabbage, beans, potatoes, yams or melons and cantaloupes, and the profits will be greater than grain or cotton in any part of Texas.

"The black lands of North Texas are reputed the best farming lands extant, but poorly adapted to truck growing; our truck growers, however, on this black land are among our most thrifty and well satisfied citizens."

"Prof. R. H. Price, in charge of the horticultural work at the A. and M. College, says:

"For two years we have carried on experiments in marketing our peach crop upon the horticultural grounds. During last year (1899) the major part of the crop was shipped to one commission firm in Houston, where we built up a considerable demand for the Mamie Ross peach.

We give here a tabular statement in regard to data obtained during six consecutive days last year in shipping these peaches.

“Results of shipping peaches to Houston market in 1899:

Date.	Amount shipped.	For sales.	Total rate per bu.	Net returns.
June 20	13 10-lb. baskets.....	\$ 7 15	\$ 2 20	\$ 5 75
June 21	7 10-lb. baskets.....	3 68	2 10	2 88
June 22	20 $\frac{1}{4}$ -bu. baskets.....	19 00	2 85	14 08
June 23	7 $\frac{1}{4}$ -bu. baskets.....	8 05	3 45	6 46
June 24	22 $\frac{1}{4}$ -bu. baskets.....	22 00	3 00	17 00
June 25	8 $\frac{1}{4}$ -bu. baskets.....	6 90	2 55	5 52

“At an average of \$2 per bushel and one hundred trees to the acre, an acre of Mamie Ross peaches was worth \$432.”

“\* \* \* A few years ago some people were afraid California would glut the markets of the United States, but since that time California has invested \$100,000,000 and the other States have invested several hundred millions in fruit growing, and there seems but little likelihood of glutting the market.

“\* \* \* The late William Watson, of Brenham, an enthusiastic fruit grower, said: ‘There is a great future for the Texas fruit grower. Even if the contentions of the Missouri and Arkansas Ozark planters were true as to the size and beauty of their fruit, we grow fruits quite their equal and get to the market a month earlier. Their Elberta peach may be as fine as ours, but we have received the cream of the trade before their Elberta is ready for shipment. The main profit in fruit growing lies in getting to market ahead of competitors.’

“\* \* \* Professor Van Deman, a horticulturist of national reputation, visited Texas a few years ago in search of information regarding fruit growing in Texas. He said: ‘I can say, unreservedly, that I never found in combination so many favorable conditions for profitable fruit growing as I find here. The fruits of Texas can be put on the large markets before the products of Missouri, Georgia, Maryland, Delaware, and California begin to move.’”

In a paper on “The Possibilities of Fruit Culture in Texas,” read at Dallas in May, 1901, before the convention of delegates from commercial clubs, C. P. Orr said:

“Five years ago we had less than twenty horticultural societies in Texas; now there are 150. Only a few years ago the truck grower was of no consequence; while in 1900 we find, from the best obtainable sources, there were 6,500 cars of truck sold in and shipped out of Texas. The average sale per car, reported to the *Texas Truck Farmer*, was \$275, thus showing \$1,787,500 for this crop—a very good showing for an infant industry. There has been reported for this year’s truck crop of all kinds, 48,413 acres. This is not bad \* \* \* yet it is not one per cent. of what we can profitably grow. \* \* \* We can cut off California from the Northern and Eastern markets if we will use as much enterprise as they have shown, for we are several hundred miles nearer the market and have a better product. \* \* \* When we remember that fruit culture for commercial purposes is a thing of recent date, and in many sections it now disputes the scepter of King Cotton, we may logically conclude that in a few years, with careful packing, rapid transit, and liquid air, our luscious fruits and choice vegetables will be known the world over. And with the canning factory and evaporating plant to use the surplus, our possibilities are almost unlimited.”

**B. F. FULLER, SAN ANTONIO.**

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Benjamin F. Fuller was born in Franklin county, Tennessee, on the 5th day of August, 1827. His parents soon afterwards moved to Alabama and settled in Morgan county, where he was reared, and had excellent advantages of common school education. In 1846 the family emigrated to Texas and settled on a farm in Lamar county. In 1849 he entered McKenzie College, then the leading school for young men in Texas; and easily the most thorough in literary and moral training. This school many years afterwards was correlated with other colleges, forming the Southwestern University. He graduated in 1852 and was retained as professor until 1856. On the 27th day of December, 1855, he was married to Miss Florinda Gordon, of Chatfield, Navarro county. In the fall of 1856 he opened a private school at Bonham, where he continued to teach until the war between the States with its all-absorbing martial spirit and call to arms, overshadowed not only school interests, but all other enterprises. He had been appointed District Clerk of Fannin county, and, therefore, was not liable to military service, but at the call of his country, he resigned this office and, in connection with Capt. S. Howell, raised and led into the Confederate service an artillery company, and remained in active service until the close of the war. After the war he was admitted to the bar, and in 1869 located in Paris, Texas, and engaged actively in the practice of his profession, and so continued until 1899. Having now reached an age at which it seemed prudent to be relieved from the arduous labors of professional life, he closed his law office and retired permanently from the practice. He did not remain idle, however, but devoted himself to literary work. He had for some time had in contemplation publishing a history of Texas Baptists, and he had collected much material for that work. Mr. Fuller became a member of the Baptist church in his early youth, and has always been zealous in that faith, and since coming to Texas, has taken an active interest in all the enterprises of Texas Baptists. In the summer of 1899 a great sorrow came into his life in the death of his beloved wife, Mrs. Florinda Gordon Fuller, with whom more than fifty years of a happy married life had been spent.

In the fall of that year he made his home in San Antonio to be near his only living son, T. A. Fuller, who had for several years been engaged in the practice of law at that place. Mr. Fuller now devoted himself entirely to the preparation and publication of his history. The new book, entitled "The History of Texas Baptists," was brought out by the Baptist Book Concern in the fall of 1900. This book is the only complete history of Texas Baptists published; bringing up the history from the first entry of a Baptist preacher into Texas in 1822 through the stirring and exciting scenes of Texas history to the present time. The book is intensely interesting and especially helpful to Baptists, and can be had by writing to the author at San Antonio.<sup>1</sup>

<sup>1</sup>The YEAR BOOK is indebted for this sketch of Mr. Fuller to the pen of his daughter.

## R. R. GAINES, CHIEF JUSTICE OF THE SUPREME COURT.

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Was born in Sumpter county, Ala., October 30, 1836, son of Joab Gaines, Jr., a prominent cotton planter of that section. His mother, Mrs. Lucinda (McDavid) Gaines, was a daughter of John McDavid, and was born in Escambia county, Fla. His grandfather, Joab Gaines, Sr., was born in South Carolina, and was a planter in that State until the latter part of life, when he moved to and established a plantation in Clark county, Alabama.

Judge Gaines graduated from the University of Alabama as Bachelor of Arts in 1855, and from the law department of Cumberland University, Lebanon, Tenn., with the LL. B. degree in 1857; was admitted to the bar at Butler, Ala., in March, 1858, and practiced law there as a member of the firm of Manning, Catterlin & Gaines until 1859, and afterwards at Selma, Ala., until 1861 as a member of the firm of Shortridge & Gaines; enlisted as a private in Captain Murphy's Company, 3rd Ala. Cavalry; was promoted to Adjutant of the regiment, and later to Assistant Adjutant General of the brigade, serving in the latter capacity on the staffs of Generals Morgan and Allen; was Assistant Adjutant General under General Allen (then a division commander in Wheeler's corps) at the close of the war, and surrendered with him at Charlotte, N. C., May 3, 1865; moved to Texas from Alabama in February, 1866, and located at Clarksville, Red River county, where he practiced law as a member of the firms Epperson & Gaines, Epperson, Gaines & Wooten, and Gaines & George, in the order named; was elected judge of the 6th judicial district in 1876, and served as such for eight and one-half years; moved to Paris, Texas, in 1881, and practiced law there as a member of the firm of Gaines & Hodges, from January 1, 1885, until 1886; and was a member of the firm of Dudley & Gaines at Paris when appointed Associate Justice of the Supreme Court by Governor Ireland, August 19, 1886, to succeed Judge Sawnie Robertson, whose resignation took effect September 1, of that year. [For further particulars respecting Judge Gaines' service on the Supreme Bench, see article on the Supreme Court, elsewhere in this volume.]

Judge Gaines was married to Miss Louisa Shortridge at Montevalo, Ala., in March, 1859, and has one child, a daughter, Lelia S., wife of James Temple Gwathney, Vice-President of the Cotton Exchange of New York City.

Judge Gaines is a member of the I. O. O. F. and K. of H. fraternities, and Delta Kappa Epsilon and Philomathic societies of the University of Alabama.

His decisions on important legal questions are numerous. For clearness and elegance of style, learning, and the precision and justness with which the letter, principles and spirit of the law are applied to points decided, they fully equal those of the ablest of his predecessors.





**HON. HAMPSON GARY**



## HAMPSON GARY, TYLER.

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Hampton Gary, Representative for the counties of Smith, Upshur, and Camp in the Twenty-seventh Legislature, is a native son of Texas; born April 23, 1873, in the city of Tyler. He comes of an old South Carolina family of lawyers, soldiers and orators. The Gary's came to America long before the Revolution and settled in Buckingham county, Virginia. About the year 1760 they moved to Newberry, South Carolina, and each generation of the family has contributed worthy citizens to all the honorable walks of life in the old Palmetto State.

Mr. Gary's father, Franklin N. Gary, born in Newberry, S. C., was a Captain in the Confederate army (Gen. Hawes' brigade, Walker's division); and was district attorney of the old Tyler and East Texas judicial district, and a leader in legal and financial circles. Mr. Gary's mother's maiden name was Miss Belle Boren. Her father, Col. Samuel Hampson Boren, was a lieutenant of cavalry under Gen. Zachary Taylor in the Mexican war of '46 and fought with distinction at the storming of Bishop's Palace at Monterey, and in the Battle of Buena Vista. Col. Boren and wife and Mrs. Gary's maternal grandmother, Mrs. Mary Dickson Long, came from Tennessee to Texas in 1836, locating at Nacogdoches, the leading town of the Republic of Texas. Mrs. Gary was a lineal descendant of Gen. Joseph Dickson of Revolutionary fame. Gen. Dickson was a member of Congress from North Carolina when the election of the President of the United States devolved upon the House, and his vote helped to elect Thomas Jefferson over Aaron Burr by one majority.

Hampton Gary was educated in the public schools of his home and in Bingham School, North Carolina, delivering the valedictory at the latter school upon his graduation in 1890. Later he attended the University of Virginia where he finished his literary education and began the study of law. While at this famous institution of learning, founded by Thomas Jefferson, he was President of the Jefferson Literary Society, associate editor of the *University Monthly Magazine*, editor-in-chief of the weekly *College Topics*, and editor-in-chief of the college annual *Corks and Curls*. In his graduating year the students chose him as presiding officer for the finals of 1894, and as such he delivered the opening address at the commencement in June, and introduced the orators of the day, Hon. Chauncey M. Depew, of New York, and Hon. Adlai E. Stevenson, at that time Vice-President of the United States.

Mr. Gary began the practice of law at Tyler in the fall of 1894, and his ability and industry being recognized, his advancement has been steady and continuous. Upon the breaking out of the Spanish-American war and the call for volunteers, Mr. Gary organized and was elected Captain of the "Smith County Rifles" and with his command was mustered into the Fourth Texas United States Volunteers. He served nearly a year as Captain in the United States Army and then, upon muster out of his regiment, he returned to Tyler and again took up the practice of law. He still takes an interest in military affairs and has recently been elected Lieutenant-Colonel of the Third Texas Infantry

of the newly reorganized State militia. When our martyred President, William McKinley, and his cabinet were the guests of the State of Texas at Austin, in May, 1901, by direction of the Governor, Col. Gary and Col. Hearne rode with the President as his personal aides-de-camp.

Mr. Gary, like all of his family before him, is a staunch Democrat, and always contends vigorously for democratic principles and democratic nominees. He has been a delegate to three State conventions of the Democratic party, and to several congressional and district conventions. He is a close student, an interesting speaker, a lawyer of ability, and frank, generous, and winning in manner.

Mr. Gary was married to Miss Bessie Royall, of Palestine, Texas, on December 18, 1901. Both Mr. and Mrs. Gary are members of the Episcopal church.

Although Mr. Gary was a new member in the Legislature, he immediately attracted attention by his participation in important legislation, and by the delivery of three important speeches. His utterances made a most favorable impression upon his colleagues and were generously complimented by the press of the State. He was appointed to serve on the following named standing committees: Judiciary No. 2, Internal Improvements, Revenue and Taxation, Education, Judicial Districts, and Military and State Rangers Affairs. In the committee room Mr. Gary was known as a man of solid information and sound judgment, and one who was deliberate and cautious as well. Mr. Gary in his brief public career has performed well his part and has acquitted himself with credit and honor.

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### W. M. GILES, MINEOLA.

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In the death of Captain Giles, which occurred at his home in Mineola, May 27, 1901, the East Texas bar lost one of its leading members and Wood county one of its most useful and beloved citizens. He was born in Kemper county, Miss., January 12, 1841; removed to Texas in early life and settled in Wood county; engaged in merchandizing, but unsuccessfully, and later studied law and was admitted to the bar, and entered upon a career for which he was eminently fitted by inclination and natural talents and in which industry and skill brought success and reputation, and his unbending probity added lustre to a noble profession at which malice and ignorance have made it a rule to level poisoned shafts of detraction. The writer knew him well and possessed and valued at its worth the honor of his friendship.

The *Wood County Democrat*, of June 6, 1901 (published during an Old Settlers' Reunion), contains an article on the deceased in which the following just estimate of his character is given:

"It may be truly said of him, that he was a man without guile or deceit, for in him were founded all the essential elements which go to make an honest, upright and christian man."

## GOVERNORS OF THE STATE.

	Elected.	Inaugurated.
J. Pinckney Henderson <sup>1</sup> .....	December 15, 1845	February 19, 1846.
George T. Wood.....	November 1, 1847	December 21, 1847.
P. Hansborough Bell.....	August 6, 1849	December 21, 1849.
P. Hansborough Bell.....	August 4, 1851	December 22, 1851.
E. M. Pease.....	August 2, 1853	December 21, 1853.
E. M. Pease.....	August 6, 1855	December 21, 1855.
H. R. Runnels.....	August 4, 1857	December 21, 1857.
Sam Houston.....	August 1, 1859	December 21, 1859.
Edward Clark <sup>2</sup> .....		March 16, 1861.
F. R. Lubbock.....	August 5, 1861	November 7, 1861.
Pendleton Murrah <sup>3</sup> .....	August 3, 1863	November 5, 1863.
A. J. Hamilton* (appointed).....	June 17, 1865	Arrived in Texas July 21, 1865.
J. W. Throckmorton* (elected).....	June 25, 1866	August 9, 1866.
E. M. Pease* (appointed).....	July 30, 1867	Qualified August 7, 1867.
E. J. Davis <sup>7</sup> (elected).....	Nov. 30, Dec. 3, 1869	April 28, 1870.
Richard Coke.....	December 2, 1873	January 15, 1874.
Richard Coke.....	February 15, 1876	April 18, 1876.
B. B. Hubbard <sup>8</sup> .....		December 2, 1876.
O. M. Roberts.....	November 5, 1878	January 21, 1879.
O. M. Roberts.....	November 2, 1880	January 18, 1881.
John Ireland.....	November 7, 1882	January 16, 1883.
John Ireland.....	November 4, 1884	January 20, 1885.
L. S. Ross.....	November 2, 1886	January 18, 1887.
L. S. Ross.....	November 6, 1888	January 15, 1889.
J. S. Hogg.....	November 4, 1890	January 20, 1891.
J. S. Hogg.....	November 8, 1892	January 17, 1893.
C. A. Culberson.....	November 6, 1894	January 15, 1895.
C. A. Culberson.....	November 3, 1896	January 12, 1897.
Joseph D. Sayers.....	November 8, 1898	January 17, 1899.
Joseph D. Sayers.....	November 6, 1900	January 15, 1901.

<sup>1</sup>The following letter, copied from the Governor's record book, in the Secretary of State's office, gives the date when Henderson left for the army and Horton succeeded to the duties of Governor:

## EXECUTIVE DEPARTMENT.

AUSTIN, May 19, 1846.

To His Excellency, A. C. Horton.

SIR: I this day leave the seat of government to take command of the Texian forces raised under the requisition of General Taylor and shall move beyond the Rio Grande into Mexico. Under these circumstances you are required by the Constitution to act as Governor of the State by virtue of your office as Lieutenant-Governor.

I have the honor to be

Your obedient servant,

J. PINCKNEY HENDERSON.

<sup>2</sup>March 16, 1861, Clark took the oath prescribed by the Secession Convention, and two days later entered upon the discharge of the duties of Governor, as Houston's successor. His administration as Governor dated, however, from March 16th.

<sup>3</sup>Murrah left Texas before the arrival of Federal troops and during the year (1865) died of consumption in Monterey, Mexico.

<sup>7</sup>July 25, 1865, Hamilton issued a proclamation announcing his appointment and that he had assumed the duties of the office.

"After the surrenders of Generals Lee, Johnston, and Taylor in April and May, 1865," says Paschal, "the surrender of General E. Kirby Smith, whose headquarters were then at Shreveport, and who commanded the Trans-Mississippi department of the Confederate forces, was formally demanded by Lieutenant-General Ulysses S. Grant. General Smith peremptorily refused and gave out that

he was preparing for action. But, as Jefferson Davis, the President of the Confederate States, had been captured, with several of the cabinet officers, and the archives at Richmond, it became well known that whatever were the designs of General Smith and his subalterns, the surrender was only a question of time. Governor Pendleton Murrah conceived the design of restoring the State to the Union 'with the Constitution as it was,' and the officers as they were. Early in May he repaired to Houston and, after consultation with advisers, he issued his proclamation for the assembling of the Legislature at an early day, and also for the election of delegates to a convention to remodel the Constitution and to restore the State to the Union. Colonel Ashbel Smith and William P. Ballinger, Esq., were sent as commissioners to New Orleans and, if necessary, to Washington, to carry out this plan. But events crowded too rapidly for its consummation. General Smith sent Generals Buckner and Price to New Orleans, who surrendered the Trans-Mississippi department to General Canby on the 27th of May, 1865. The proclamation of President Johnson in regard to North Carolina developed his policy. On the 25th of May, as if by concerted arrangement, all over the Trans-Mississippi department, the soldiers mutinied, seized all the munitions, stores, subsistence, cotton, and almost everything which was claimed to belong to the Confederate government. The Governor, Treasurer, Secretary of State, and many other civil and military officials, emigrated to Mexico. The number increased after the President's amnesty proclamation. Therefore, before the terms of surrender were consummated, off Galveston bar, by General Edmund J. Davis, on behalf of the United States, and Generals Smith and Magruder, the army was disbanded. The State became disorganized, and few officers, judicial or ministerial, would perform any official act. Amidst this state of anarchy, growing out of the dissolution of governments, the consternation was somewhat relieved by the appearance of the following. [Proclamation announcing the appointment of A. J. Hamilton as Provisional Governor of Texas.] Governor Hamilton proceeded in August and September to reorganize the State by appointing all State, district, and county officers, except judges of the Supreme Court. He caused the President's amnesty oath to be administered, registers to be made, levied a tax, caused the courts to be held, and, finally, on the 17th of November, 1865, issued his proclamation for the election of delegates to a convention who assembled on the 7th of February and adopted a Constitution, which was submitted to the people and ratified, and the State officers provided for elected on the 25th of June, 1866."

<sup>2</sup>Throckmorton was removed August 8, 1867, by General Sheridan, as an impediment to reconstruction.

<sup>3</sup>Pease was appointed Provisional Governor to succeed Throckmorton, by a military order, July 30, 1867; qualified August 7, 1867; and September 30, 1869, resigned, owing to a disagreement with the military authorities.

<sup>4</sup>General Reynolds declared the election of Davis and other State officers provisional until Congress accepted or rejected the State Constitution under which they were chosen. In the *interim* he appointed Davis Provisional Governor January 8, 1870. Davis qualified as such January 17, 1870, and served until inaugurated under the Constitution on the day specified above.

<sup>5</sup>Coke, who had been elected to the United States Senate, resigned the office of Governor at the close of the 1st of December, 1876, and thereupon Hubbard became his successor, under the Constitution.

## LIEUTENANT GOVERNORS OF TEXAS.

	Elected.	Inaugurated.
Albert C. Horton <sup>1</sup> .....	December 15, 1845	March 26, 1846
John A. Greer.....	November 1, 1847	December 21, 1847
John A. Greer.....	.....	December 21, 1849
J. W. Henderson.....	August 4, 1851	December 22, 1851
D. C. Dickson.....	August 2, 1853	December 21, 1853
H. R. Runnels.....	August 6, 1855	December 21, 1855
F. R. Lubbock.....	August 4, 1857	December 21, 1857
Edward Clark <sup>2</sup> .....	August 1, 1859	December 21, 1859
John M. Crockett.....	August 5, 1861	November 7, 1861
Fletcher S. Stockdale.....	August 3, 1863	November 5, 1863
George W. Jones <sup>3</sup> .....	June 25, 1866	August 9, 1866
J. W. Flanagan <sup>4</sup> .....	Nov. 30, Dec. 3, 1869	.....
R. B. Hubbard.....	December 2, 1873	January 15, 1874
R. B. Hubbard <sup>5</sup> .....	February 15, 1876	April 18, 1876
J. D. Sayers.....	November 5, 1878	January 21, 1879
L. J. Storey.....	November 2, 1880	January 18, 1881
Marion Martin.....	November 7, 1882	January 16, 1883
Barnett Gibbs.....	November 4, 1884	January 20, 1885
T. B. Wheeler.....	November 2, 1886	January 18, 1887
T. B. Wheeler.....	November 6, 1888	January 15, 1889
George C. Pendleton.....	November 4, 1890	January 20, 1891
M. M. Crane.....	November 8, 1892	January 17, 1893
George T. Jester.....	November 6, 1894	January 25, 1895
George T. Jester.....	November 3, 1896	January 19, 1897
J. N. Browning.....	November 8, 1898	January 17, 1899
J. N. Browning.....	November 6, 1900	January 15, 1901

<sup>1</sup>General Nicholas H. Darnell was inaugurated as Lieutenant-Governor February 19, 1846. This was done in accordance with the program arranged by a legislative committee, after such of the returns as had come to hand had been counted and the result of the election for Governor and Lieutenant-Governor officially declared. Some returns were yet to be received but it was thought that they would not materially alter the result. This supposition proved erroneous. It soon became known that in all probability, Albert C. Horton, instead of Darnell, had been elected.

February 23 a joint committee was appointed by the Senate and House to "enquire into the expediency of reconsidering the returns of the election for Lieutenant-Governor." The members on the part of the House were Messrs. Perkins, Stevenson, and Russell. March 26 General Darnell addressed a communication to the two houses stating that the returns received left no doubt that Colonel Horton was entitled to the office, and should immediately assume its duties. That gentleman was accordingly sworn in.

Horton succeeded to the duties of Governor May 19, 1846, Governor Henderson leaving on that day to take command of the Texas troops mustered for service under General Taylor in the Mexican War.

<sup>2</sup>Clark became Governor March 16, 1861, Houston failing to appear on that day and take the oath prescribed by the secession convention. March 18th he went to the Governor's office and took charge before Houston arrived and thereafter remained in possession.

<sup>3</sup>Jones was removed by General Sheridan.

<sup>4</sup>Flanagan was appointed provisional Lieutenant-Governor, after his election, pending the action of Congress on the newly adopted State Constitution. He presided over the Senate at the provisional session of the Legislature, and, being elected United States Senator at that session, was never inaugurated as Lieutenant-Governor.

<sup>5</sup>Hubbard became Governor December 2, 1876, Coke vacating the office December 1, 1876, to take his seat in the United States Senate.

## J. S. GRIFFITH.

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The following sketch is furnished by a citizen of Kaufman county: General John Summerfield Griffith was born on the 17th day of June, A. D. 1829, in Montgomery county, Maryland. His father, Michael Berry Griffith, born February 26, 1796, was the son of Captain Henry Griffith, who served in the Revolutionary army, and a lineal descendant of the historical Lewellen Ap Griffith, of Wales.

Michael B. was married in Maryland on the 28th day of August, 1823, to Lydia Rigley Crabb, a beautiful and cultured woman, daughter of Gen. Jeremiah and Elizabeth Crabb.

Owing to a series of business reverses, they moved from Maryland to Missouri with the hope of regaining their lost fortune. Sustaining further losses and their capital reduced greatly, they removed to San Augustine, Texas, May 15, 1839, with a family of six children, three of whom were boys, viz.: Jeremiah Crabb, John Summerfield, and Joseph Henry Berry, and three girls: Ann Elizabeth, Ruth Matilda, and Amanda.

Those were the young days of Texas history, and they were forced to accustom themselves to the hardships and privations incident to pioneer life.

Misfortune sits heavily on some hearts, but not on such as these, and with the example set by this heroine wife and mother, shame, indeed, would it have been to despair. To the subject of this sketch, this trying ordeal of his young life brought forth a rich harvest, implanting the best impulses, a strong will with one dominant idea—success—energy, practical and unremitting, and such sturdy qualities as made of him a man loved and respected.

His education was received chiefly at home, under the tutorship of his mother. He was endowed with a brilliant and comprehensive intellect, and was noted for his qualities of mind and heart.

He entered the business world as a clerk in a mercantile establishment, and in the following year started out on his own account, acting as salesman during the day and keeping his books at night. At this time his tasks were arduous; being exceedingly conscientious as to detail, his toil was unremitting. His efforts were rewarded with success, for everything prospered with him, and in an incredibly short time he had amassed comparative wealth.

He was married at Nacogdoches in December, 1851, to Sarah Emily Simpson, daughter of John J. and Jane Simpson.

During the winter of '59 he removed to Kaufman county and entered upon the stock trade in addition to his mercantile pursuits. He soon conceived the idea of planting cotton in this county, and this was the source of much good natured merriment on the part of some neighbors, who thought that Griffith should know that high winds and cotton crops did not go together.

True to his progressive spirit, he planted the first Irish potatoes in this county. His numerous warnings were that they had better be eaten: that he was putting more potatoes in the ground than he would get out.

In 1860, when the Civil War was upon us, he was among the first to answer the call of his country. John S. Griffith was called to the command of a volunteer company of cavalry at Rockwall, Texas, that was afterward incorporated as Company B in the regiment organized by Col. Warren B. Stone. Immediately upon the organization of this regiment he was elected Lieutenant-Colonel, which position he filled with honor, as the following words of Victor M. Ross substantiate:

"In that galaxy of glorious stars, whose effulgence yet lights the memory of the 'Lost Cause,' though its sun has forever set, none shines with a steadier glow than that consecrated to the name and fame of John S. Griffith. Unselfish in his characteristics, brave, though sagacious, as becomes a commander; patriotic in all his impulses; had health been vouchsafed him, a career of glory and usefulness would have crowned his efforts with success. As it was, by his consummate address on the hardly contested field of Oakland, and as the central figure of the Holly Springs campaign, he gave ample evidence that he possessed in a pre-eminent degree those lofty, necessary qualities that can only fit a man for command in battle. General Griffith was more than a dashing cavalryman, for his analytical mind penetrated far beyond the immediate shock of battle, and took in the salient features of the campaign as a whole. It was he who conceived that master stroke of policy, and was the most efficient agent of its execution—"The Holly Springs Raid." He saved the army of Pemberton indubitably by the movement; and consequently delayed the fall of Vicksburg many months. On the field of Oakland he performed for the same army duties of scarce less vital moment."

Owing to failing health, General Griffith tendered his resignation and returned to Texas in June, 1863. Shortly afterward he was elected a member of the Tenth Legislature and served as chairman of the Committee on Military Affairs.

He was appointed Brigadier-General of State Troops on March 1, 1864. The duties of this office were: "To encourage and form volunteer companies and organizations of such persons as are not subject to militia or other duty for local defense and all necessary police regulations in the counties where such companies may be raised."

As a result of the war, General Griffith found himself broken in health, and in impoverished circumstances; but with that pluck and energy characteristic of the man, together with his indomitable will, which would brook no defeat, he set himself the task of regaining his lost fortunes. With him to think was to act, and, seeing an opportunity of profit in bois d'arc seed, he, with the help of his former slaves, gathered many thousands of bushels, took them North, and from their sale realized in one winter a handsome fortune, thus placing him in comfortable circumstances, and much capital left on which to operate. Ever afterward his investments were most successful.

In 1876 he was elected a member of the Fifteenth Legislature, and aided in placing the new State Constitution in operation, and served as chairman of the Committee on Public Printing. As a member of this body he won for himself the name of "Watch Dog" to the Public Treasury.

General Griffith was an advanced thinker, and in his religion lived ahead of his time. He was no stickler for form or ceremony, but for the truth only as he saw it, and he had the courage of his convictions.

speaking them openly and fearing naught. He was a devoted student of the writings of Emanuel Swendenborg. His life was filled with acts of benevolence and charity. His sympathy for the afflicted and distressed was boundless, and his heart was full of an abiding love for his fellowman.

In 1874, General Griffith removed with his family, consisting of his wife and two sons and a daughter, to Terrell.

When the North Texas Asylum for the Insane was established in Terrell, Gov. Ireland appointed him one of the Board of Managers, and he continued to serve in that capacity until his removal to Oak Cliff in 1889. He subsequently returned to Terrell, and it was at his home in that city that he met his death, on the 6th day of August, 1901, with a courage and trust unexcelled; he died as he had lived—a brave and great man. The following is an extract taken from the oration delivered by Dr. D. R. Wallace, his honored friend, on the occasion of his death:

"There were few who met Gen. J. S. Griffith in the common intercourse of life who knew him. You had to rise to his own plane to understand him. If my observation of men goes for anything, he was no ordinary man. He was a great man, and, what is infinitely more to the point, he was a good man. His untiring, indefatigable industry, indomitable will and energy, his success in whatever he turned his attention to, proved him to be the one, and his warm heart and genial and generous nature showed him to be the other.

"As brave as Cæsar, he was as gentle as a woman. Did time and the occasion permit, I would like to enlarge upon this point of his character, but it is needless. You were his neighbors, you knew him in war, and in peace, in the councils of his country. In all the walks and affairs of life you knew him as a strong marked character, in which the elements were so blended you could stand up before all the world and say, 'there is a man.'

"The psalmist tells us that the days of our years are three score and ten. These days my noble friend filled to the full with usefulness and beneficence to his fellows to an extent it were vain for ordinary men to attempt to either emulate or imitate. His life was protracted to a good ripe old age, much beyond that of most his fellow mortals. It was begemmed and beautified with noble deeds. He left the world better for having lived in it. His sun went down amid golden clouds of glory. Beloved and honored by all who knew him, he sank to rest with a philosophic heroism that a Socrates might have envied."

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### C. H. HAINES.

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C. H. Haines, whose death occurred at his home at Hainesville, Wood county, Saturday night, March 23, 1901, was for fifty years a respected citizen of that county, long known to and valued as a friend by the writer. Colonel Haines was born in Davidson county, North Carolina, and descended from German ancestors who first settled in Pennsylvania and later moved to and established themselves in North Carolina in the latter part of the seventeenth century. When twenty-three years of age he went from North Carolina to Shreveport, Louisiana, where he spent a year, and then moved, in December, 1851, to Wood county, Texas,



where he thereafter continuously resided. After working at the carpenter's trade for a while, and later clerking, he engaged in the mercantile business at Quitman with his brother, George Haines, who had accompanied him to Texas. August 2, 1854, he married Miss Elizabeth Varner, daughter of the Martin Varner who came to Texas first in 1816 and later (as one of Austin's colonists) in 1821, participated in the battle of San Jacinto, and was one of the first settlers in the territory now comprised in Wood county. Colonel Haines' wife and two children (Mrs. J. M. Puckett and Frank Haines) survive him.

He was elected justice of the peace in 1858, and county treasurer in 1860, filled both offices with credit, and later served as a member of the county commissioners court several terms. In 1862 he settled the place, eight miles east of Mineola, where in 1894 he founded the village of Hainesville. There he established a large store and fine trade (assisted by his son) and spent the remaining years of his life. He was a member of the M. E. Church, South, and Masonic fraternity.

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### SAM HARLAN.

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Sam Harlan, Superintendent of Public Buildings and Grounds, appointed to that position by Governor Sayers in 1899 and reappointed by him in 1901, was born in Galveston, Texas, August 6, 1866, the son of Samuel D. and Mrs. Sarah Martha (McGregor) Harlan, of Scotch-Irish ancestry. His father died at Waukesha, Michigan, August 14, 1887. His mother resides with him in Austin.

Mr. Harlan completed his literary education at Centenary Collegiate Institute, Hackettstown, New Jersey, taking at the same time a course in civil engineering.

Possessed of superior business talents, excellent artistic taste, steady, tireless, and determined energy, and that cast of mind that finds genuine pleasure in the prosecution of any labor to which it bends its energies, his incumbency of the office has been a revelation of what could be accomplished by the right man, even with limited means. At the time he was first appointed the Legislature had grown weary with making appropriations for the improvement of the capitol grounds and the grounds about the Governor's mansion that did not materialize, and allowed him only a small amount for the purpose. With this he accomplished results that were agreeably surprising. At the next session the public purse-strings were slightly loosened and the capitol from top to bottom evidenced, in painting and other needed work, that every dollar had been made to tell to the best advantage.

From a state of hopelessness of accomplishing anything, the law-making body has passed to the more agreeable belief that, with a comparatively small appropriation, Mr. Harlan could make the capitol and other public grounds of the State the most beautiful in the South, fit settings for the superb piles of architecture they surround. It is safe to predict that succeeding Legislatures will place at his disposal the means he needs, and the expenditure of which would bring results so desirable from a business point of view, pleasing to the eye, and gratifying to State pride.

Mr. Harlan was united in marriage to Miss Annie Mattingly, in Austin, March 19, 1889, and has three children.

## TRAVIS HENDERSON.

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Travis Henderson was born June 24, 1840, in the State of Alabama. During 1857 he came to Texas and located at Paris. He is a farmer. Mr. Henderson represented Lamar county in the Eighteenth, Nineteenth, Twenty-third, Twenty-fourth, Twenty-sixth, and Twenty-seventh Legislatures.

He has made a special study of State finance, has in several Legislatures served as chairman of the House Committee on Finance, and as a House leader has commanded at all times a strong following. He is now chairman of the committee created by the Twenty-seventh Legislature to investigate the various State departments and institutions, report their condition and needs, and make recommendations relative thereto.

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## HUBBARD, RICHARD B.

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Ex-Governor Hubbard died at his home in Tyler, July 13, 1901. Governor Hubbard was born in Walton county, Georgia, in 1834, the son of R. B. Hubbard, Sr. (of Welsh ancestry) who emigrated to America at an early day and bore an honorable part, in Virginia and the Carolinas, in the revolution of 1775-83, and Mrs. Serena (Carter) Hubbard (who was descended from the Carters and Battles, distinguished in the history of Georgia).

Governor Hubbard graduated from Mercer University (Georgia) in 1851; later attended a course of lectures in the law department of the University of Virginia; graduated from the law school of Harvard University in 1852; came to Texas in 1853 with his parents (both of whom died in Smith county, his father preceding his mother by several years); engaged in the practice of law at Tyler, which was thereafter his home; canvassed the State in the interest of the Democratic party and opposition to the Know-nothing organization in 1855 and at once stepped into prominence by reason of the eloquence and power he displayed as a popular orator; was a delegate to the convention at Cincinnati, in 1856, that nominated Buchanan for the presidency; "stumped" Texas in the interest of the national ticket that year; was, after the inauguration of Mr. Buchanan, in 1857, appointed, through the influence of Generals Thos. J. Rusk and J. Pinckney Henderson, United States district attorney for the western district of Texas, and filled the office with credit for nearly two years, resigning it in 1858; was in 1859 elected to represent Smith county in the Legislature; was a delegate to the Charleston convention and an elector on the Breckenridge and Lane ticket in 1860; was colonel of the 22nd Texas Infantry, C. S. A., during the war between the States; was one of the electors for the State at large on the Greeley ticket in 1872; was elected Lieutenant-Governor in 1873 and re-elected in April, 1876 (under the new Constitution); became Governor December 2, 1876, Governor Coke having been elected to the United States Senate; was a candidate for the gubernatorial nomination in 1878; at the end of the eighteenth ballot had 907 votes to 594 for Devine, and conse-

quently, had the majority rule prevailed, would have been nominated by an overwhelming majority, but, the two-thirds rule prevailing, and there being no hope of breaking the dead-lock, a joint committee was appointed by caucus meetings of the supporters of Hubbard and Devine, and empowered to select some candidate upon whom all could unite, and Hon. O. M. Roberts was selected, and Governor Hubbard deprived of an honor that practically all recognized he fully merited, and the denial of which was in a measure palliated by the adoption of a resolution by the convention unqualifiedly endorsing his administration and declaring that it deserved the approbation of the people of Texas [The resolution was offered by his chief opponent, Judge Thos. J. Devine.]; was a delegate to the convention at Chicago that nominated Cleveland in 1884; at the request of the National Democratic Executive Committee, canvassed the State of Indiana in the campaign that followed and, after the inauguration of Mr. Cleveland, was appointed envoy extraordinary and minister plenipotentiary to Japan, a position he filled until the in-coming of the Harrison administration.

Governor Hubbard was twice married. His first wife was Miss Eliza Hudson, daughter of Dr. G. C. Hudson, a distinguished physician of Lafayette, Alabama, and his second wife Miss Janie Roberts, daughter of Hon. Willis Roberts, formerly a member of the Georgia Senate, and later a citizen of Smith county, Texas.

In 1899 Governor Hubbard published a volume entitled "The United States in the Far East; or, Modern Japan and the Orient," that met with a large sale and attracted favorable attention.

He was at various times connected with railroad enterprises designed to develop the section in which he resided. After returning from Japan he did not continue the practice of law. For some years prior to his death he was in the lecture field, in which he met with a measure of success fully commensurate with his talents and reputation as one of the greatest orators of Texas.

[For proceedings in *memoriam* see article on the Twenty-seventh Legislature.]

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### WILLIAM H. HUDDLE, AUSTIN.

The late William Henry Huddle, whose paintings, "Surrender of Santa Anna," "Davy Crockett," and portraits of the provisional governor (1835-6), president *ad interim*, presidents of the Republic, and governors of the State of Texas, adorn the walls of the capitol of Texas at Austin, where they daily excite the admiration of every competent critic of art, was born in Wytheville, Virginia, February 12, 1847, the son of S. G. and Mrs. Nancy (Foster) Huddle, both of whom, in later years, moved to and died in Texas.

He received his literary education in Virginia and Tennessee; served in the Confederate army during the last two years of the war; moved to Paris, Texas, in 1866, where he worked at the gunsmith's trade for several years and employed his leisure hours during the day and at night in studying the principles, and practicing the art, of drawing and painting, for which he had shown remarkable talent from early childhood; later continued his studies in Nashville, Tenn., and New York City, his earlier productions evoking from his masters prophecies of future excel-

lence and distinction, and his final preliminary work as a student their unqualified praise; returned to Texas; located at Austin in 1877, and from that time forward labored with a zeal, unremitting energy, skill and constantly expanding genius that won for him a place among the best artists that the South or, for that matter, the United States, has produced.

During his stay of three years in Nashville, Tenn., he was a student of his cousin, F. J. Fisher, an eminent portrait painter who painted a number of pictures for the White House.

In New York City he studied at the Academy of Design for two years. In 1874 he and other advanced scholars of the Academy rebelled, left that institution, and established the Art League, which, from its commencement, was, and now is, the leading art school of America.

In 1884 he went to Munich, Germany, where he spent two years under the best painters in Europe, perfecting himself in his profession.

He then returned to Austin, where he subsequently resided until his death of Bright's disease, March 23, 1892. He was a member of the Episcopal Church. The religious rites following his decease were pronounced by Rev. T. B. Lee, rector of St. David's. The remains were followed to their last resting place by a large concourse of sorrowing friends.

He was married to Miss Nannie Z. Carver, of Austin, who, with an only child, Miss Marguerite Huddle, survive him.

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## F. CHARLES HUME, GALVESTON.

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The learned and accomplished Judge William Wirt Howe, of Louisiana, has thus expressed his opinion as to what constitutes the true lawyer:

"No matter how successful a mere advocate may be, his reputation, after all, is little better than that of the actor who struts and frets his brief hour upon the stage; and then is heard no more; or of the sweet singer Malibran, whose voice could not be described even by those who heard it, and whose fame for those who never heard it rests in a tradition vague as moonlight. And after the death of the \* \* \* lawyer, when he comes to be tried in the Egyptian fashion, to find what manner of man he was, the question will be, not how many verdicts did he obtain by appeals to the passions of a jury; not how many times did he successfully wrench and twist the rules of law in such a way as suited his client's case, but what was his influence in developing in fair and fruitful forms the jurisprudence of his country. \* \* \*

"\* \* \* if he has lived merely for himself, a sharp attorney, an agile advocate, he might almost as well have been an opera dancer, and over his grave we could only think with Hamlet:

"Where be his quiddets now, his quillets, his cases, his tenures and his tricks? Why does he suffer this rude knave to knock him about the sconce with a dirty shovel and will not tell him of his action of battery? Humph! This fellow might be in's time a great buyer of land with his statutes, his recognisances, his double vouchers, his recoveries. Is this the fine of his fines, and the recovery of his recoveries, to have his pate full of fine dirt? Will his vouchers vouch him no more of his



**HON. F. CHARLES HUME**



purchases \* \* \* than the length and breadth of a pair of indentures. The very conveyances of his lands will hardly lie in this box, and must his inheritor have no more?"

From the beginning of the Republic to the present time Texas has been able to boast an array of lawyers capable of measuring up to the highest standard of excellence, and from a very early day the bar of Galveston has been especially noted for the solid learning and irreproachable character of the men who composed it. It, today, maintains undiminished its prestige, and to say that any man stands in its front rank is as high a tribute as could be paid him both as a lawyer and citizen. Such a statement can be truthfully made of the subject of this notice, Hon. F. Charles Hume. For nearly forty years he has been a leading figure in the legal profession in this State, and the reports of the State and Federal courts reflect abundantly, though with relative meagreness, the character, variety and extent of his labors and achievements. His devotion to the law has been well nigh exclusive, and whether as practitioner at the bar, or as member, and sometimes President, of the Texas Bar Association, he has zealously striven to uphold in theory and apply in practice that stainless code of ethics which underlies all that is really useful or great in the work of the lawyer, and has aspired to that proficiency in learning and that perfection of equipment which mark those only who attain to eminence in the profession.

His tastes and education have not permitted him to deny to himself the pleasure and profit of general reading, and in this he has indulged without impairment of interest in law books. He has spoken and written not a little on general themes, as well as on those pertaining especially to the law.

The following is a brief sketch of his interesting career:

He was born in Walker county, Texas, February 17, 1843, the son of John Hume, a native of Culpepper county, Virginia, who emigrated to Texas in 1839 and resided in Walker county until his death.

Mr. Hume was educated at Austin College, Texas, and subsequently spent a year at the University of Virginia. His studies at the latter institution were interrupted by the war between the States. Immediately following the first battle of Manassas he enlisted as a volunteer in Company D, Fifth Texas Regiment, organized in Virginia and placed under command of Col. J. J. Archer, of Maryland. This regiment, together with the First and Fourth Texas, at one time the Eighteenth Georgia, and subsequently the Third Arkansas, constituted the famous command known in history as "Hood's Texas Brigade," of which Gen. Louis T. Wigfall was the first, and Gen. John B. Hood the second commander. Its first winter was spent in the snows about Dumfries, on the Potomac. Mr. Hume, with his regiment, participated in Johnston's celebrated retreat from the Peninsula and entered his first battle at Eltham's Landing (West Point), near the York river. He was in the battle of Seven Pines, and shortly afterwards, near the same ground, was wounded in the right leg while participating in an assault on the enemy's works led by Capt. D. U. Barziza, in command of one hundred and fifty men chosen for the purpose from the three Texas regiments. Confined in the hospital at Richmond by his wound until after the Federal army had been defeated and driven to Harrison's Landing, Mr. Hume did not rejoin his regiment until the beginning of the lighter

engagements that culminated in the second battle of Manassas. Seven flag-bearers of the Fifth Regiment were wounded in the battle, Mr. Hume being the sixth, receiving a bullet in the left thigh. He was mentioned in complimentary terms in the official report made by the colonel of the regiment, J. B. Robertson, commanding the brigade, and afterwards its brigadier, and in the official report of Capt. King Bryan, commanding the regiment.

After the healing of his wound, Mr. Hume rejoined the army at Culpepper Court House, and participated in the battle of Fredericksburg, late in 1862. Shortly afterward he was promoted from the ranks to a First Lieutenancy, and assigned to duty on the Virginia Peninsula as Adjutant of the Thirty-second Battalion of Virginia Cavalry. In this capacity he served until the battalion, with another, was merged into a regiment, when he was assigned to command a picked detail of scouts in the lower Peninsula. With this command he operated for several months near Williamsburg, experiencing all the perils of that peculiar service and becoming familiar with its ceaseless ambushes and surprises.

Gen. M. W. Gary, of South Carolina, in 1864, assumed command of the cavalry of the Peninsula, and attached Lieut. Hume to his staff. Soon after this a battle was fought at Riddle's Shop, on the Charles City Road, in which Gen. Gary engaged troops under Hancock, the latter having been sent to threaten Richmond to cover Grant's crossing to the south side of the James. In this action Lieut. Hume had the honor of being assigned on the field to the command of the Seventh South Carolina Cavalry. The last considerable battle in which he took part was at Tilghman's Farm, on the James river, the Confederate commander being Gen. Gary. Here he received his third and last wound, being shot through the body. The Richmond papers published his name in the dead list of that action. When sufficiently recovered he returned to Texas on a furlough, reaching home in October, 1864. Recovering his health, he was requested by Gen. J. G. Walker to inspect troops and departments about Tyler, which he did. A little later he accepted an invitation from Gen. A. P. Bagbey to serve on his staff in Louisiana, and remained with that officer as Assistant Adjutant General, with the rank of Major.

He was admitted to the bar at Huntsville, Texas, in 1865, practiced one year in Walker county, and then moved to Galveston, where he has since resided. He was admitted to practice in the State Supreme Court in 1866, and in the United States Supreme Court in 1877.

Elected in 1866, he represented Walker county in the Eleventh Legislature. In 1877 he was City Attorney of Galveston. He has always been a Democrat in politics, and taken an active interest in affairs; but, save in the instances named and occasional appointments as special judge of the Supreme and other courts of the State, has not held office.

In the vigor of manhood, diligent and faithful, able and resourceful, fair-minded and clean-handed, we may say of him that he stands for the best traditions, achievements, culture, and character of the bar.

As fully characteristic of him, perhaps, as any of his productions are his annual address to the Texas Bar Association, delivered at Galveston, Thursday, July 27, 1899, upon the theme, "The Supreme Court of the United States," published in September-October, 1899, *American Law*



*Review* and elsewhere, and his article, entitled "Texas' Welcome," published in the *Dallas Morning News*, Wednesday, April 23, 1902.

We reproduce the "Welcome":

"Forty-one years ago there went forth from Southern homes to fields of deadly battle hundreds and thousands of the most heroic spirits that ever trod the martyr's path to immortality. Of the civilization, the institutions, the traditions, the convictions, the character, the genius of the South, they were the perfect bloom—

"The knightliest of a knightly race,  
Who, since the days of old,  
Have kept the lamp of chivalry  
Alight in hearts of gold.

"Their ancestors had come from other lands to conquer and occupy a wilderness that they might there enthrone their household gods and erect social order on the foundation stones of religious and political liberty. Forming themselves into separate political communities, and always maintaining, whether as colonies or States, the spirit and practice of independent power and action within their respective territorial boundaries, when they united from time to time for common ends, they did so only as equals associate, never with concession of the existence over them of any authority anywhere on earth, save in their own respective political communities, or in such other governmental organization as had been vested by them with such authority.

"Emerging from separate colonial organization into separate and sovereign statehood these communities, as independent sovereigns, each acting for itself and in obedience to the voice and will of its own people, made with other like sovereigns that compact of union which found expression in the Constitution of the United States.

"To the wars, aggressive and defensive, waged in behalf of the people of all the States, the Southern sword and purse were alike devoted. In the crucial periods of their history the States invested with the command of their armies Washington, Jackson, Scott, and Taylor, all of the South; and it was Jefferson, a Virginian, who had long before fashioned the creed of liberty into form and language that are a perpetual inspiration.

"But time wore on; the fathers passed to peace; a new generation came. With its advent there arose the claim, on the part of some of the States thus far united, that the Constitution was no longer binding; that to enforce its stipulations adopted for the protection of the rights of the people of the South was to commit unpardonable sin; that there was a higher law than the solemn compact of the sovereign States; and, in due sequence, the people of the States making this startling claim combined to elect a President of the United States, and to exhibit the unmistakable purpose of perverting and overthrowing the compact of union.

"The Southern States, availing of an inalienable, and theretofore undoubted right, seceded from the Union and peacefully organized another union among themselves; and thereupon armies were sent forth by the newly elected President of the United States to punish and subdue them. Then the men who meet in Dallas this week, and their fellows who lie dead under the green sod from Texas to Pennsylvania, armed themselves, kissed their wives, mothers and sisters, and hastened to do battle on a thousand fields made immortal by their valor.

· "The world knows their history; how they followed the cross and stars

through four illustrious years, proving their consciousness of rectitude and their patriotic devotion not more by heroic performance in arms than by silent endurance of the hardships of the camp and horrors of the hospital; how, year after year, with thinning ranks and waning hopes, their intrepid soldiership claimed and won the mastery in many a gallant conflict with a foe superior to them in all but valor, conduct and love of country; how, when the whole world saw the end had come, they yet yielded not, but, standing by the open grave of all their hopes, delivered battle with the same skill and spirit that had characterized their most effective and glorious achievements; how, when all was over, they returned to their ruined homes and fields, and with undaunted souls began anew the strife for life; how, by inborn capacity for government, they soon rehabilitated their States, and within eleven years of their utter overthrow in battle elected a President of the United States, although small men followed them with imprecations of rebellion and treason, and larger men echoed the curses as an aid to political aggrandizement.

"Such as they are, gray, scarred, modest, glorious, Texas welcomes these veterans to the Dallas reunion. Such as they are, worn, grizzled, moving with slow step to old age, the grateful and unforgetting South claims them as her own and would fold them close to her mother heart.

"Galveston.

"F. CHARLES HUME."

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## INDIAN FIGHT.

BY A. J. ROSE.

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In January, 1860, I purchased a tract of land fifteen miles above the town of San Saba, on the San Saba river. This land had a bold spring gushing out of the side of the mountain and emptying into the San Saba river. From this spring I irrigated my farm, which enabled me, even during the dry seasons, to produce heavy crops of corn, sweet potatoes, etc. I built a mill to grind corn and saw lumber, as we had none nearer than fifteen miles, and used this spring as the power to run it. We and our neighbors were often alarmed by the report of Indians in the country. Some of our neighbors were killed and scalped by them, and occasionally an Indian would be killed. On January 15, 1868, Wash Morrow and Bill Miller, who lived in McCulloch county, came to my house for corn and meal, which I sold them. On the morning of the 17th they left very early for their homes, some eighteen or twenty miles up the river. Soon after they left, James Sutton, who lived on my place, and I went out after some fat wild hogs for pork.

Sutton was riding a good horse, I, a mule. For a mile our route was in the direction Miller and Morrow were traveling. It was a very dark, misty morning. When about two miles from home, we heard the report of a gun, which alarmed me, although I was accustomed to such sounds. No sooner had I expressed to Sutton my uneasiness than the report of another gun rang through the air. My fears were not shared by my companion, but, instead, he tried to quiet me by insisting he believed there were campers near who were firing their guns in order to reload, as it was damp. We were unable to locate their direction.

About this time our dogs made considerable noise starting a deer.

Hoping that the hogs would take fright at this noise, we hastened to the top of a very high peak near by in order to get sight of them. While on this peak we heard some one halloo, and very soon discovered two men in the distance. But, the morning being dark, we could not at first tell whether they were white men or Indians. Seeing that they halted, we decided to ride closer, and found them to be Tom Sloan and Armantrout, whom my wife had sent in haste in search for us. They brought the news that shortly after we had left home in the morning my neighbor, John Flemens, had sent word to my own and other houses to notify us that there were sixteen Indians near his home with horses. He wanted all the available men of the neighborhood to come and follow the Indians. Sloan and Armantrout told us that the scouts would meet at Doran's, two and one-half miles up the river from my home. We made haste to the agreed place, but, on reaching there, found that nine men had already left on the search. We gave chase, hoping to overtake them at the narrows. We crossed to and went up the south side of the San Saba river, recrossed to the north side just above where Brady's creek empties into the river, and thence proceeded up a very high peak in the forks of the creek and river. On reaching the summit we saw in the distance a lone horse. After reaching the valley and riding a little way, Sutton dismounted, saying, as he did so, "Boys, here's where they had it." He picked up an arrow and found another sticking in the limb of a bush.

Here we struck the trail of Miller's and Morrow's wagon. In a short distance we found the lead harness and stretchers. On further, we found the wagon itself, the meal emptied in two piles, one in the wagon, the other on the ground. There were several arrows in the wagon, and a quantity of blood on the corn. The harness for the wheel horses was lying in front of the wagon; no one in sight. We at once tried to trail the horses from the wagon. Finally, we trailed back to the road-crossing on Brady's creek. As there were several horse tracks, we decided that the scout had found Miller and Morrow, and that they were being taken to some of our homes. Hoping to overtake them, we rode rapidly down the wagon road to Doran's. To our surprise, no one had been there since we passed up the river. I remarked that the scouts had doubtless followed the Indians and that Miller and Morrow were probably in some of the thickets, and told the men if they would wait at Doran's, I would ride home, inform my wife of my intended absence, and get my horse and gun, as I wanted to be better prepared. Armantrout volunteered to go with me, but did not return. I was soon armed, mounted, and on my way to Doran's.

When Sutton, Sloan and I hurried to the wagon to begin our search anew, we found pools of blood on the ground and near the wagon trail, which we decided were from the effects of Miller's and Morrow's shots. We searched until dark, failing to find either the scouts or the men. We then, after agreeing to return in the morning at an early hour, set out for our homes. I was sitting on my horse in the road waiting for Sloan and Sutton, when one of the scouts came galloping up, saying that he had come for more men to hunt for the wounded ones. I told what we had already done, and assured him we were ready to continue the search. My men were then coming up the road. We learned that the scouts had seen the wagon as they went out. They hastened on, however, hoping to overtake the Indians, but never got in sight of them,

and returned to Brady's stock pen about 1 o'clock at night. On our reaching the place the wounded men had been found. Morrow was discovered about sunrise on the ridge that lay between the San Saba river and Brady's creek. He was returning from the river with his boot full of water for Miller, as Miller was more seriously wounded. On reaching the thicket where they had spent the day and night before, Miller was not there. Morrow said he was somewhere between there and the river, if he had not already reached the river. Search was made, and Miller was found sitting on a rock by the river side, having drunk all the water he wanted, never expecting to see anyone again. On learning their condition, I at once returned home after my army ambulance to convey them home. My wife and little children were rejoiced that the men were still alive. I reached the home of one of the brothers-in-law of the wounded men just at dark. It had moderated and was raining slowly before we arrived. We sent men forward to inform their families. After refreshments, those of us who lived in my neighborhood started for our homes, reaching them after midnight. With thankful hearts we retired. Although this has been over thirty-four years ago, I have never met either of those men since. They are both living. One was shot seventeen or more times, the other twenty-three. No doubt both would have been killed if it had not been for the protection of their wagon sheet and bed clothing. They stated that they had heard voices about dark while they were lying in the cedar thicket, but could not tell whether the persons speaking were Indians or whites. Those voices no doubt were Sloan's, Sutton's and my own, as we were near them at nightfall discussing what was best to do. While attending the Grand Lodge of Masons in Houston a few years ago, in conversation with a brother Mason, discussing the scenes incident to frontier life, I spoke of this affair, and he told me that Wash Morrow lived near Marble Falls, Burnet county. On my return home I wrote Morrow, and he sent me a lengthy and interesting statement in regard to this affair as he saw it.

The following is Morrow's account:

"In the year 1868 I was living in McCulloch county, near Camp San Saba. On January 15th, W. J. Miller and myself harnessed a four-horse team and went down to Major A. J. Rose's mill (which was fifteen miles above the town of San Saba) for corn and meal. On the 16th we shelled our corn and had it ground into meal, and on the morning of the 17th we started very early for our homes. When we arrived at a point just below the mouth of Brady's creek, we were charged upon by sixteen Indians, who had secreted themselves under the bank of the San Saba river. The remainder of the Indians (three or four) held the horses that they had stolen. The Indians charged in single file until they came within about eighty yards, and then deployed to the right and left until they formed a half circle in our rear. The leader of the left file cried out in a loud voice, 'Componee!' Two others gave the same command, and then the entire line fired upon us about three rounds with sixshooters. When they ceased firing, a big Indian charged on the rear of the wagon with his bow drawn. When in about eight yards of the wagon, he bent his bow. I fired on his motion. A few jumps of his horse and he fell off. He shot me through the left hand. All the Indians ran to him and got off their horses. We drove on in order to get to a vacant house at the stock pens, just across Brady's creek. As we got into the creek bottom the Indians came down upon us again and emptied their sixshooters at us, but without effect. We stopped in the

bottom. The Indians dismounted, and charged us on foot, taking advantage of the trees. I told Bill (Mr. Miller) to drive out of the timber, as we had no chance there. We drove across the creek and turned for the house, but they mounted their horses and cut us off. We then made a start for the cow pen, but they kept up such a terrible yelling that our horses stampeded and started back to the road. Just at this time an Indian ran up on foot toward the rear end of the wagon with his bow and arrows in his hand, but was not trying to shoot. He got within six or eight yards of the wagon before I shot him. He fell forward on his face, and three other Indians ran to him and turned him over and gave vent to such howls as but few men ever heard. I was doing the fighting and Bill was driving the team, four horses, with check lines. We only had two sixshooters. About this time an Indian ran into the road ahead of our team, as we supposed to turn us out of the road into the brush. Bill shot at him, and he gave back. In order to get into the road, Bill laid his pistol down by his side, the better to grasp the lines. It was necessary for us to get into the road to cross a deep ravine. Bill's pistol bounced out of the wagon. The Indians found the pistol and emptied it at us without effect. Whenever we tried to get to a thicket the Indians would throw their whole force between us and it, or any shelter that we tried to make. As Bill was the driver, the Indians did most of their shooting at him. He was soon disabled from loss of blood, and had to drop the lines and lay down in the wagon. He lay near me, and would pull the arrows out of me as fast as they were shot into me, and you may believe the arrows were flying thick and fast. The Indians also-rocked us, as their arrows and ammunition were exhausted. One rock struck me on the point of the shoulder. Whenever I would attempt to shoot, the Indians would throw themselves upon the opposite side of their horses. My third shot missed. It was a running fight. The Indians would not let us stop. At this time I was shot in the left side of the neck, which creased (or paralyzed) me. I do not know how long I was in that condition. When I came to my senses I was lying on my face, my head at the back end of the wagon, and the wagon standing still. When I fell, the Indians stopped the wagon, thinking that they had us ready to string. When I raised my head, I saw three Indians standing at the back end of the wagon, close enough to put their hands on me. I shot the three before they could turn around, and they fell on the spot, all three dead. Our horses now took another scare and turned off through the brush. Running over a large mesquite bush, the two lead horses broke loose from the wagon and were caught by the Indians. The wheel horses ran about two or three hundred yards and stopped in a ravine. I saw that we could go no further. I had only one load in my sixshooter. I got down from the wagon and kept the Indians at bay while Bill got out and cut the harness off of the horses. There were only five Indians to fight. They were on foot. There was one squaw in the bunch. She fought close until I killed the last three. After that she stayed off about a hundred yards on her horse. After I shot the last three, we never heard another word, or yell, from the Indians. As soon as Bill got the harness cut off of the horses, he said, 'Wash, take your choice.' Just as he spoke, an arrow struck him in the left cheek and, passing under the ear, cut the temple artery. He came very near bleeding to death. He pulled the arrow out and used it for a switch. Bill jumped on the off horse, and I on the near one, but before I got straight the horse was shot just

in front of the hips, which made him jump from under me, and I got a hard fall. Bill, seeing my condition, checked his horse, and said, 'Here, Wash, jump up behind me.' I ran and did so, and we got off on one horse. This horse was shot through the ham with a ball and behind the right stifle and in the coupling with an arrow. We went about three-fourths of a mile and could then go no further, on account of weakness from loss of blood. We stopped at the first little bunch of timber and got off our horse and sat down. We had only been there a few minutes when the Indians came up our trail to within about eighty yards, and then made a right turn and left us. Though left by the Indians, we could not move. We lay there for nearly twenty-four hours before we were found. We came near chilling to death, for it was cold and cloudy. There had been a sprinkle of rain early in the morning. Our thirst was consuming. We felt as if we were perishing for water, but could not move to go in search for it. Late in the evening I made out to strike fire, having found a little piece of punk in my pocket. This, no doubt, kept us from freezing. After dark we laid down by our little blaze, not to meditate on the pleasures of the day, but to think of our bad condition. During the night I managed to get some water a good way from there, and brought some in one of my boots to Bill, but he had gone in search for water. On the next morning we were found, and were cared for as only friends and neighbors can care for men under such circumstances. Miller had twenty-three arrows shot into him, and I twenty.

"My father immigrated to Texas in the fall of 1838, and settled at a place called Ruttersville, in Fayette county, where I was reared. In 1847 I enlisted in Capt. Jacob Robert's company, Col. Jack Hays' regiment; crossed the Gulf of Mexico to Vera Cruz, and from thence marched with the command to the City of Mexico, and was there when peace was made.

"In 1854 I settled on Sandy, in Llano county, which was then a part of Gillespie county. I served in the Confederate army during the war between the States, and after it closed moved to McCulloch county, as above stated. 'Wilbarger's Indian Depredations' is almost entirely wrong in our case.

"A. W. MORROW."

## INSTITUTIONS FOR THE INSANE.

### State Lunatic Asylum, Austin.

B. M. Worsham, M. D., Superintendent; T. O. Maxwell, M. D., First Assistant Physician; Frank R. Ross, M. D., Second Assistant Physician; John H. Foster, M. D., Third Assistant Physician.

Board of Managers: David Harrell, President; R. P. Bull, Geo. W. Macdonnell, A. W. Carpenter and Clarence Miller.

Salary of Superintendent, \$2,000 per annum, and, in addition thereto, board for self and family not to exceed \$500 per annum, fuel, lights, water and housing; First Assistant Physician, \$1,250 per annum; Second Assistant Physician, \$1,250 per annum; and Third Assistant Physician, \$1,250 per annum.

Appropriation for the institution for the six months ending August 31, 1901, \$71,188.85, of which amount \$14,000 was for the erection of building for colored patients. Deficiency appropriation for year end-

ing February 28, 1901, \$11,250.45 for steam heating plant and dining hall and kitchen building. Appropriation for the two years ending August 31, 1903, \$349,945.

Number of patients October 31, 1900, 764; August 31, 1901, 888. Number discharged restored during the ten months ending August 31, 1901, 70; discharged improved, 33; discharged unimproved, 13; died, 57; carried on furlough, 8. Of the 888 patients 402 were male and 396 female.

Superintendent Worsham says in his report:

"The per capita cost including each item of expense, except permanent improvements and additional property, has been \$2.48 per week, and continued on this basis, would equal \$129.20 per year.

"The 305 patients admitted during the past ten months exceed the number admitted in the same length of time at any time during the past twelve or fifteen years. Of this number 187 were male and 118 were female. The per cent. of recovery of all cases admitted is twenty-two, and the per cent. of cases whose insanity had existed less than one year (recoverable cases), forty-five.

"The death rate has been 5.34, which is considerable in excess of the record for the past several years. This is due to the fact that all classes have been admitted without discrimination. Many aged and feeble cases were admitted who died within a short time after reaching the institution."

The following table is from the report:

**ADMISSIONS AND DISCHARGES SINCE THE BEGINNING OF HOSPITAL.**

	Male.	Female.	Total.
Admitted.....	2,771	1,769	4,540
Discharged.....	1,664	978	2,642
Died .....	610	392	1,002
Carried on furlough .....	6	2	8
Remaining August 31, 1901.....	491	397	888

The Board of Managers say:

"We herewith submit the annual report of Superintendent Worsham and officers for the ten months ending August 31, 1901.

"It is our pleasure to report that the administration of affairs for the past ten months at the State Lunatic Asylum has been satisfactory in every particular, and the institution is in an excellent condition.

"The capacity of the asylum has been increased several hundred, and buildings are being erected which will accommodate some two hundred more negro patients. \* \* \*

"We desire again to express our confidence in the ability and wisdom of Dr. Worsham, and commend his efficient management of the affairs of the institution."

The asylum is situated in North Austin about two miles from the capitol. The entire tract belonging to it consists of 320 acres, 60 of which are used for grounds and park, and the remainder for farm and pasture. The buildings are handsome brick and stone structures mostly two and three stories in height, and are classified as follows: Administration building and male wards, capacity 275; a main building and three wings (female wards), capacity 450; north building, capacity 275; infirmary for females, capacity 50; infirmary for males, capacity 32;

two buildings for negroes, capacity 200; small detached building, capacity 40; building for male employes; building for female employes; building containing kitchen, dining room and amusement hall; laundry, mattress factory, workshop, dairy, stables, barns, etc.

The dairy produces about 100 gallons of milk per day.

December 14, 1901, there were 910 patients in the Asylum, of whom 110 were negroes. In conversation with Dr. Worsham, he stated that by January 15, 1902, there would be room for a total of 1,250 patients, and that this additional capacity (secured by the completion of new wards) would be taxed to its utmost to accommodate those applying for admission.

The asylum has its own waterworks (direct and standpipe pressure); steam heating and electric light plants; two fine artesian wells with an aggregate capacity of 350,000 gallons of water per day, amply sufficient for all purposes, and fully equipped hose and hook and ladder companies that are drilled to a high state of efficiency.

The institution owes its existence to an act of the Legislature approved August 28, 1856, which appropriated \$50,000 in United States bonds (then in the treasury) for its establishment and support. Public lands set aside for the same purpose ensured its successful inauguration.

C. R. Johns, of Hays county; E. T. Branch, of Liberty county, and Samuel Bogart, of Collin county, commissioners appointed for the purpose, selected the present site.

Fifty acres of the tract were deeded to the State April 4, 1857, by William Fields, of Galveston, for \$2,500 (citizens of Austin paying \$2,250 of the amount, and the State \$250), and thirty acres were deeded by the same party, February 18, 1858, for \$1,500. Thomas Jefferson Chambers, whose land claim embraced the same property, voluntarily executed a release to the State, the nominal sum of \$10 being expressed as the consideration.

In a message to the Legislature, November 2, 1857, Gov. Pease said that it had been found necessary to secure the services of some one familiar with the treatment of insanity and the interior arrangement of insane hospitals, and he had appointed a Superintendent, Dr. J. C. Perry, who was then engaged in the preparation of a plan and specifications for a suitable building, which would soon be erected.

Under instructions from Gov. Pease, Dr. Perry visited other States for the purpose of inspecting similar institutions, and, on returning, collected and submitted data showing the number of insane persons in Texas.

An act of the Legislature approved February 5, 1858, provided for a Board of Managers, to consist of five persons, to be appointed by the Governor. The general appropriation bill, approved February 15, 1858, appropriated \$30,000, to be expended in paying for the thirty acres of the site purchased at that time, erecting and furnishing buildings, paying salaries and meeting other expenses during the years 1858-9.

The administration building and three wards were partially completed during the term of Dr. Graham, the institution formally opened in March, 1861, and seven patients admitted, all that could be accommodated at the time. The number for whom applications for admission had been made was much larger.

The following Board of Managers<sup>1</sup> was appointed October 13, 1860:

<sup>1</sup>The first appointed.



Geo. Hancock, W. C. Phillips, W. L. Robards, Robt. J. Townes and M. P. Mabin; and from March 30, 1861, to February 19, 1863, the following served as members of the board (some of them to fill vacancies caused by resignations): N. G. Shelley, G. W. White, S. W. Goodrich, W. F. Wells, Thos. H. Jones, Geo. W. Glasscock, W. L. Robards, Nelson Merrill, John C. Darden, A. H. Parrish, B. A. Rasher, John B. Banks, and James P. McKinney.

A report made by Superintendent Beall, August 20, 1866, shows that the inmates of the asylum at that time were 52 in number—27 males and 25 females. In his report of March 1, 1867, to Gov. J. W. Throckmorton, he gives the following figures: Total number of patients on hand, 48—26 males, 22 females; discharged cured, 6; died, 2; whole number discharged, died and escaped, 21; says that there were accommodations for 75 white patients and that the Cross place had been purchased and fitted up for colored patients, and contained one inmate, and asked for more buildings.

The following is a list of the Superintendents of the institution from the date of its creation by law to the present time:

	Office.	Appointed.	Remarks.
J. C. Perry .....	Superintendent...	May 27, 1857	By Gov. E. M. Pease.
C. G. Keenan. ....	Superintendent...	Feb. 13, 1858	By Gov. H. R. Runnels. A portion of the present administration building was commenced while Dr. Keenan was serving under this appointment.
B. Graham .....	Superintendent...	Jan. 9, 1860	By Gov. Houston. Under Dr. Graham the administration building and three wards were completed. About March 11, 1861, the institution was formally opened, and during the first month a few patients were admitted.
C. G. Keenan.....	Superintendent...	Mar. 25, 1861	By Gov. Clark.
G. F. Weisselberg.....	Superintendent...	Nov. 8, 1861	By Gov. Lubbock.
B. Graham .....	Superintendent...	Aug. 8, 1865	By Gov. Hamilton.
W. P. Beall.....	Superintendent...	Aug. 20, 1866	By Gov. Throckmorton.
B. Graham .....	Superintendent...	Aug. 23, 1867	By Gov. Pease. Resigned March 27, 1870.
Jas. A. Oorley.....	Superintendent...	Mar. 27, 1870	Resigned March 1, 1871.
G. F. Weisselberg.....	Superintendent...	Mar. 1, 1871	Resigned February 10, 1874.
D. R. Wallace.....	Superintendent...	Feb. 10, 1874	
D. R. Wallace.....	Superintendent...	Jan. 29, 1878	Resigned April 18, 1879.
Wm. E. Saunders.....	Superintendent...	Apr. 18, 1879	
Wm. E. Saunders.....	Superintendent...	Jan. 20, 1881	Resigned May 14, 1881.
L. J. Graham.....	Superintendent...	May 14, 1881	Resigned January 20, 1883.
A. N. Denton.....	Superintendent...	Jan. 20, 1883	
J. S. Dorset .....	Superintendent...	Jan. 26, 1887	
W. W. Reeves.....	Superintendent...	Feb. 29, 1891	
Frank S. White.....	Superintendent...	Jan. 12, 1892	Resigned January 23, 1895.
C. T. Simpson.....	Superintendent...	Jan. 23, 1895	Resigned July 31, 1896.
B. M. Worsham .....	Superintendent...	Aug. 1, 1896	

#### North Texas Hospital for the Insane, Terrell.

Established under an act of the Legislature approved February 16, 1883.

John S. Turner, M. D., Superintendent, salary, \$2,000 per annum, and in addition thereto not exceeding \$500 a year for board for self and family, and fuel, lights, water and housing; J. R. Nichols, M. D., First Assistant Physician, salary \$1,250 per annum; S. W. McJunkin, M. D., Second Assistant Physician, salary \$1,250 per annum.

<sup>1</sup> Killed by Purnell, a discharged lunatic, December 29, 1891.

Board of Managers: John J. Terrell, President; J. S. Grinnan, M. G. Goss, B. L. Gill, and W. A. Brooks.

Appropriation for the support of the institution for the six months ending August 31, 1901, \$85,245; for the two years ending August 31, 1903, \$416,091.

The general appropriation bill passed at the Second Called Session of the Twenty-seventh Legislature for the support of the State government and State institutions for the two years ending August 31, 1903, contains the following:

"Provided, that the interest on all securities held by the Lunatic Asylum fund is hereby appropriated in part payment of the appropriation for the three lunatic asylums, the remainder of the appropriation to be paid out of the general revenue. \* \* \*"

The following tables are from a report made to the Governor by the Superintendent and Board of Managers August 31, 1901:

**MOVEMENT OF POPULATION FOR THE TEN MONTHS ENDING AUGUST 31, 1901.**

	Male.	Female.	Total.
Total number of patients November 1, 1900.....	662	469	1,131
Admitted during ten months.....	156	214	370
Total number treated. ....	818	683	1,501
Discharged, restored.....	33	15	47
Discharged, improved.....	23	2	4
Discharged, unimproved.....	3	2	5
Died.....	41	21	62
Out on furlough.....	50	40	90
Remaining in hospital August 31, 1901.....	690	603	1,293
Totals .....	818	683	1,501

**ADMISSIONS AND DISCHARGES SINCE THE OPENING OF THE ASYLUM.**

Year.	Admitted.	Treated.	Restored.	Improved.	Unimproved.	Not insane.	Escaped.	Died.	Total discharged and died.
1885.....	130	130	15	.....	1	.....	1	1	18
1886.....	330	442	119	9	2	1	1	37	175
1887.....	343	610	152	23	1	1	1	54	238
1888.....	239	631	169	15	1	1	1	36	228
1889.....	269	642	169	14	1	.....	.....	44	230
1890.....	264	676	137	12	3	.....	.....	30	186
1891.....	371	861	184	7	.....	1	2	50	251
1892.....	388	998	158	29	4	.....	.....	71	265
1893.....	300	1,033	139	35	4	2	2	66	248
1894.....	239	1,024	106	49	3	.....	.....	52	269
1895.....	229	1,044	132	8	.....	.....	2	59	202
1896.....	241	1,083	148	16	6	.....	1	65	238
1897.....	234	1,079	158	23	11	1	.....	41	234
1898.....	375	1,220	169	11	9	.....	.....	56	245
1899.....	342	1,317	155	54	3	1	.....	63	276
1900.....	378	1,419	203	12	4	.....	.....	69	288
1901.....	370	1,501	46	4	5	1	.....	62	118
Totals .....	5,082	.....	2,359	321	90	8	15	856	3,649

Total patients admitted since the opening of the asylum.....5,032  
 Total discharged and died.....3,649

Remaining for treatment, August 31, 1901.....1,383

In the report Dr. Turner says:

"We are trying to carry out our idea that the more like the sane you can treat the insane the better the results, therefore we use the least amount of restraint compatible with safety to the patients, trying at all times to inspire them to give up their delusions and false ideas, giving them the largest amount of liberty and outdoor recreation possible, giving them lawn concerts and other outdoor exercise, as well as each week a dance, and often a card or domino party or a musicale in the chapel. When there are opportunities for them to visit fairs, circuses, or any other entertainments they are encouraged to go, sending the proper escort of attendants with them.

"\* \* \* As the popular prejudice against insane hospitals is broken down there is a growing tendency to have admitted the very old persons who have worn out, both mentally and physically, and are a burden to care for, and weak-minded children, both of which classes have no place in fact in an insane asylum, and are a great menace to the insane proper. The State is under obligations to care for both of these unfortunate classes, and it should do so properly by providing a home for the old and infirm and a school for the training of weak-minded children. The latter class offer as good results as do any class of our defective population, for if taken in time many of them can be restored to that extent that they will make good citizens and useful members of society, while in an asylum for the insane we can hope for nothing except for them to become permanent wards of the State so long as they live.

"I believe if our eleemosynary institutions were classified and each class cared for in the manner best suited to their cases, it would be much more economical to the State than the present method of placing all defectives of whatsoever character in one huge mass to be cared for alike, regardless of their various conditions or necessities. The establishment of an institution for epileptics is, in my opinion, a step eminently in the right direction toward the proper classification of our institutions, and if this can be followed up by separating the dotards or senile cases in a comfortable cottage home, where they could secure needed nursing and care more than restraint, the feeble-minded children in an up-to-date training school, where the latest scientific methods are practiced, the criminal insane in an institution to themselves, probably in connection with the penitentiary, the epileptics separated, and last, but not least, have a centrally located hospital for the treatment of the acute insane only, which should be equipped with the most approved methods of treating this unfortunate class and manned by a staff of physicians who are well known for proficiency along the special branch of mental and nervous diseases. As fast as patients become chronic, transfer them to one of the institutions for that class, and thus give every acute case the benefit of especial and immediate attention. If such classification and treatment could be carried out, I believe the rate of restoration of our defective population could easily be doubled. This system

could be put in operation at a very slight increased cost over the present method of caring for these unfortunates and the insane hospitals already built and equipped would be sufficient to accommodate the insane proper for years to come."

The Board of Managers say:

"\* \* \* We add our hearty endorsement to the attached report of the Superintendent, and earnestly approve the recommendations therein made. \* \* \*

"We desire to express our appreciation of the valuable service of the officers and employes generally, all of whom have been attentive, faithful and efficient in the various departments they have served.

"We feel that the thanks of the State are due to the Governor for the deep interest he has ever manifested in the welfare of all our eleemosynary institutions."

The total number of patients in the institution December 17, 1901, was 1,402.

#### SUPERINTENDENTS.

	Appointed.	Qualified.
D. R. Wallace .....	July, 1885	
D. R. Wallace .....	Feb. 2, 1887	
John Preston .....	Jan., 1891	Feb., 1891
John Preston .....	Mar. 2, 1893	Mar. 2, 1893
C. M. Rosser .....	Feb. 7, 1895	Feb. 8, 1895
D. L. Gaillard .....	Feb., 1897	
J. T. Wilson .....	Jan. 27, 1899	Feb. 4, 1899
John S. Turner .....	July, 1900	July 7, 1900

The institution was established by an act of the Eighteenth Legislature approved February 16, 1883, Section 9 of which reads as follows:

"\* \* \* There shall be appropriated out of the general revenue of this State, not otherwise appropriated, the sum of two hundred thousand dollars for the payment of the lands selected for a site, and expenses incurred in procuring same, and for the advancement of the improvements herein provided for, and it is further provided that sixty thousand dollars, or so much thereof as may be necessary, may be expended in the erection of temporary buildings upon the site selected for the immediate accommodation, care, maintenance and treatment of the insane."

Subsequent liberal appropriations, judiciously expended, have placed the institution upon a footing second to that of no other of the kind in the United States. It is situated about three-quarters of a mile from the Union depot in the town of Terrell on an elevated tract that is well drained and commands an extensive and attractive view.

Three hundred and fifty acres are used for farming, 80 acres as a garden, 100 acres for lawns and other grounds about the buildings, and the remainder as a pasture.

The buildings are of red brick manufactured near the institution. The buildings, when the institution was opened for the reception of patients in July, 1885, consisted of the present center, or administration, building and right and left flanking buildings for male and female wards, each structure four stories in height, including basement.

At this time the buildings consist of the administration building and original wings for males and females, together with additional wards and attached thereto, besides male and female annex buildings, detached from the main buildings, with a capacity of 250 each; male and female infirmary; also a two-story brick building for kitchen, bakery and store-rooms and a large power house building, together with a large two-story laundry building, as well as the usual number of out buildings, barns, etc.

All of the wards and mechanical buildings are of the best quality of red brick, and are attractive in architecture, commodious, well furnished and comfortable. The grounds are tastefully arranged and adorned.

#### **Southwestern Insane Asylum, San Antonio.**

Marvin L. Graves, M. D., Superintendent; G. H. Moody, M. D., First Assistant Superintendent; R. B. Sellers, M. D., Second Assistant Superintendent.

Board of Managers: Edwin Chamberlain, President; T. B. Cobbs, T. L. Conroy, Homer Eads and J. F. Onion.

Salary of Superintendent, \$2,000 per annum, and board for himself and family not to exceed \$500 per year, and fuel, lights, water and housing; salaries of First and Second Assistant Superintendents, \$1,250 per annum.

Total appropriation for the support of the institution for the six months ending August 31, 1901, \$53,375.25; for the two years ending August 31, 1903, \$254,500.

The asylum was established in 1891 under an act of the Legislature approved March 29, 1889.

It is located south of San Antonio, about seven hundred yards from the San Antonio river and five miles from the city. The site is elevated and well drained, and embraces 640 acres, 20 of which are used for lawns and other grounds; 10 for gardening, supplied with sewerage and water for perfect irrigation; 160 for farming, and 170 for pasturage.

There are thirteen buildings on the grounds, viz.: The administration building, separate wards for male and female patients, infirmary, ice and refrigerating plant, machinery or industrial building, natatorium, carpenter shop, stables, barns and dairy.

Dr. W. L. Barker was appointed Superintendent October 21, 1891, and served as such from October 26, 1891, until January 21, 1895, when he was succeeded by Dr. B. M. Worsham, who filled the position until appointed Superintendent of the State Lunatic Asylum at Austin, August 1, 1896. Dr. Worsham was succeeded as Superintendent of the Southwestern Insane Asylum by Dr. W. W. McGregor. Dr. McGregor was succeeded by Dr. Graves, who was elected Superintendent by the Board of Managers January 31, 1899, and February 2, following, entered upon the duties of the position.

The following table, taken from the report of the Superintendent to Gov. Sayers November 1, 1901, shows the number of patients treated, admitted, discharged and remaining at the close of each year from the opening of the institution to 1900-1901:

Years.	Whole number treated.	Admitted.	Discharged.	Died.	Remaining at close of year.
1891-2.....	142	142	13	1	124
1892-3.....	234	107	43	9	177
1893-4.....	294	115	36	15	235
1894-5.....	338	103	63	15	238
1895-6.....	361	123	63	15	271
1896-7.....	347	76	49	9	274
1897-8.....	331	57	38	18	276
1898-9.....	512	236	15	20	474
1899-1900.....	894	420	104	86	704
1900-1901.....	852	148	27	47	761
Totals .....	4,305	1,523	451	235	

The Trustees say in their report:

"The drug store has been completed, and the workmanship and mechanical skill shown in the fixtures therein is a monument to the workmanship of one of the patients of the institution. A new stairway has been built at the rear of the hospital building, giving egress to the male patients without going through the department for females, as the building was originally constructed. \* \* \*

"The sulphur water natatorium building has been completed, and is now in operation. The hot sulphur water has been leased by us by authority of an act passed by the last Legislature. The building and baths are magnificent, and in compliance with the terms of the contract of the lessees with the State. The hotel and sanitarium has not yet been erected by the lessees, but they promise to do so at an early date."

### JOE LEE JAMESON,

State Revenue Agent, was born October 9, 1869, near Marshfield, Mo., the son of William F. and Mrs. Melissa (King) Jameson, and came to Texas with his parents in 1877. His father is a successful farmer and honored citizen in Hill county.

The Jamesons having espoused the cause of Charles Stuart, pretender to the Scottish throne, were deprived of their estates in Scotland, and members of the family emigrated to other lands. Among the number was Benjamin Jameson. His descendants have figured in American history as soldiers in every war that has since followed. His grandson, Jehu Reece Jameson (great grandfather of Joe Lee Jameson) was a noted Indian fighter, and the only survivor of the Seminole Massacre in Florida. The Jameson family has also contributed its quota of successful and professional business men.

Joe Lee Jameson, after receiving a good English education, located in Waco, where he established an abstract of title office and served as Deputy County Clerk. He was later for seven years steward and bookkeeper for the Southwestern Insane Asylum at San Antonio, resigning the position in 1898 to accept that of secretary of the Sayers' Central Campaign Committee at Austin. At the State Democratic Convention held at Gal-

veston in the summer of that year, Hon. Joseph D. Sayers was unanimously nominated for Governor, and Mr. Jameson unanimously elected secretary of the State Democratic Executive Committee. Following Governor Sayers' inauguration as Governor in January, 1899, Mr. Jameson was tendered by him and accepted the position of State Revenue Agent. He was later made a member of the Tax Commission created by the Twenty-sixth Legislature, and was elected by his fellow members and served as secretary of the Commission.

He was married March 25, 1891, to Miss Amaryllis Routh, of Moody, Texas. They have one son, Malcolm Routh, aged ten years. Their only other child, a daughter, Vida, died in 1900, when seven years old.

He is a member of Anchor Lodge A. F. and A. M. of San Antonio, Exalted Ruler of Austin Lodge No. 201, Benevolent and Protective Order of Elks; a member of the National Bookkeepers' Association; a director of the Southwestern Society of Accountants, of the Texas Association of Accountants and Bookkeepers, and of the Missouri Society of Texas, and chairman of the Legislative Committee of the Texas Division of the Travelers' Protective Association. He is a member of the Cumberland Presbyterian Church.

His rise step by step, rapidly from one important position to another, has been the result of exceptional capability displayed in the discharge of duties assigned him.<sup>1</sup>

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### MRS. CONE JOHNSON, TYLER.

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Mrs. Cone Johnson,<sup>2</sup> daughter of Col. Elijah Sterling C. Robertson, granddaughter of Major Sterling C. Robertson, Empresario, wife of Hon. Cone Johnson, Tyler, was born at Salado and graduated from Salado College, now known as Thomas Arnold High School, and later from Wesleyan College, Macon, Georgia, receiving highest honor in music. A member of Quid Nunc, one of the oldest literary clubs in the State, and attending regularly the State Federation of Women's Clubs, she has made quite a reputation as an orator. She is an active worker in the Home Mission Society of the Methodist Church and a King's Daughter. In historical work she takes particular interest, a member of the Southern and Texas Historical Associations, Regent for Tyler of the Daughters of the American Revolution, a Daughter of the Republic of Texas, in which organization she takes great interest. At the convention at Austin last year, she delivered a memorial address in the Hall of Representatives, where her abilities as a speaker were displayed. Her greatest work has been in the Daughters of the Confeder-

<sup>1</sup>Mr. Jameson resigned March 1, 1902, to accept the position of general sales agent of the Beaumont Confederated Oil and Pipe Line Company, and was succeeded on that day by Judge J. D. Cunningham, of Kaufman county, appointed by Governor Sayers to fill the vacancy. Mr. Jameson's resignation was tendered a month or more prior to March 1, but, at the request of the Governor, he continued to discharge the duties of State Revenue Agent until work in hand was completed. His headquarters are in Austin.

<sup>2</sup>Sketch furnished YEAR BOOK by one who has long known Mrs. Johnson and admires her noble qualities and exceptional talents.

acy, and she is now serving her fourth year as President of the Tyler Chapter. She was elected Secretary of the Texas Division, 1899, by acclamation, and filled the office with splendid ability. She was unanimously elected Vice-President at Corsicana in 1899. Upon Mrs. Tobin's death, she succeeded to the presidency, to the duties of which she devoted herself with energy and great success. During her presidency of eight months, thirty-four chapters were organized. When the Special Session of the Legislature was announced last summer, she inaugurated a campaign to secure an appropriation to erect a monument to Gen. Albert Sidney Johnston. She aroused public sentiment by means of letters, petitions, memorials, circulars, and appeals through the State press, and enlisted many prominent, influential citizens and public men, and largely through her efforts and perseverance, aided by the Daughters and Veterans, the Legislature appropriated ten thousand dollars for the erection of a monument.

She is a fine executive officer, a forceful writer, of rare beauty, charming personality, highly educated, accomplished, of a sweet disposition, charming manners, and is one of the best women orators in the State.

Modest and retiring, she believes above all that a woman's work should be done in a womanly way.

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## JEFFERSON JOHNSON,

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Commissioner of Agriculture, Insurance, Statistics, and History, was born in Clermont county, Ohio, January 8, 1845; attended local schools during boyhood, completed his literary education at the Ohio Wesleyan University, Delaware, Ohio, and for some years thereafter taught school.

He is of patriotic and sturdy English ancestry, his paternal progenitors having settled in New Jersey, and his maternal in North Carolina, prior to the American revolution, and participated honorably in that memorable and victorious struggle.

His father, Benjamin P. Johnson, was born in New Jersey in 1817, and died, aged eighty-two years, in Clermont county, Ohio, in February, 1899. His mother, Mrs. Asenath Johnson (*née* Miss Asenath Tribble) was born in Ohio in April, 1823, and is now living in that State.

Mr. Johnson went to Wilmington, N. C., in 1867, and was successfully engaged in merchandizing there for twelve years. In 1879 he moved to Travis county, Texas, where he engaged in farming, and has since resided. His farm of 456 acres at Del Valle is one of the best improved and best managed in the county, and a practical demonstration of what can be accomplished by the farmer who combines business sagacity with a thorough and practical knowledge of agriculture.

He has resided in the city of Austin the greater part of the time since he settled in the county, and from the beginning has been a prominent figure and able and tireless worker for good in the life of the capital (religious, educational, commercial and political), his aid being sought and freely rendered for the promotion of every worthy cause, and his sound judgment, resourcefulness and firm, determined energy proving productive of excellent, substantial results.



For four years, during the administrations of Governors Ireland and Ross, he was steward of the Texas Institution for the Deaf and Dumb, and Secretary of the Board of Trustees of that institution, and was President of the Board during Gov. Hogg's administration, and during Gov. Culberson's until appointed Commissioner of Agriculture, Insurance, Statistics and History, July 28, 1897, which *ipso facto* worked a termination of his tenure of the position. He has since continued, however, a member of the Board of Trustees and labored for the upbuilding of the institution.

As Commissioner of Agriculture, Insurance, Statistics and History, he is *ex-officio* a member of the Board of Managers of the Agricultural and Mechanical College of Texas, a position that involves great labor and responsibility, and in which for five years he has acquitted himself with fidelity and credit. He was for years a member of the Free School Board of Travis county.

He is at this writing President of the Board of Trustees of the Austin city schools, and has been a member of that board for eight years, during which time the elegant brick Tenth Ward School building, the High School building (cost \$45,000) and other school buildings of lesser note have been constructed, and good work, begun by predecessors, has been pushed forward toward completion until Austin has a system of public schools that for equipment, discipline and efficiency are second to none not only in Texas, but elsewhere.

He regards education and religion as the foundation for good government, and that on this foundation alone can an enduring superstructure be erected that will combine order with liberty and give free scope for the development of every seed of good now sprouting into life or sleeping in the bosom of the present civilization. His love of country is sincere and deep, and includes within its scope the whole republic—for Texas it is intense and passionate, and knows no bounds. What he has been able to do for the honor and glory of the State has been humbly done by one whose only regret is that it was no more.

His political faith is firmly based upon the belief that the only hope of free government enduring, of a government not for classes, but for all the people, depends upon the ultimate decisive triumph of the Democratic party. With his mind thus imbued and by natural constitution essentially a man of action, he has from earliest manhood been a Democratic worker and put his shoulder strongly to the wheel in every campaign—local, district, congressional, State and national—expecting and asking no reward.

He was Chairman of the Travis County Democratic Executive Committee through three successful campaigns, the most notable being that of 1894, in which the first straight Democratic victory was won in the county, and at the conclusion of which his admirers presented him with an elegant gold watch that he still wears. His ambition was to bring about such complete organization that a Democratic nomination in Travis county would be equivalent to an election, and for the part accomplished by him toward this result he deserves great credit—that, too, without in any way detracting from the meed of praise due to those who have been his co-workers. It was long a standing reproach that the capital county and city of the Democratic State of Texas were not Democratic. That reproach has been removed—primarily and largely owing to his efforts. In 1894 he was, prior to the assembling of the

Democratic State Convention, Chairman of Hon. John H. Reagan's campaign committee, and in 1896 was a delegate (from the Ninth Congressional District) to the Democratic National Convention at Chicago that nominated Hon. Wm. J. Bryan for the Presidency.

Mr. Johnson was married February 5, 1879, to Miss Hattie Houston, daughter of David Houston, of Cincinnati, Ohio, and has five children: Benjamin K., Augusta, Adele, Helen and Cornelia.

He is a member of the Tenth Street M. E. Church, South, and Masonic fraternity.

For several years before he was appointed Commissioner of Agriculture, Insurance, Statistics and History, he represented the Union Central Life Insurance Co., of Cincinnati, O., and has an intimate knowledge of the insurance business in all its branches. This has been of great service to him in the position he holds.

### LAND OFFICE.

Charles Rogan, Commissioner General Land Office, salary \$2,500 per annum; John J. Terrell, Chief Clerk, salary \$1,700 per annum. Office force: One chief clerk for the General Land Office, one chief clerk for the school land department, four bookkeepers, one chief and thirteen assistant draftsmen, twenty-eight clerks and eight assistant clerks, one watchman and porter, two field agents.

Total appropriation for the support of the General Land Office for the six months ending August 31, 1901, \$40,487.50; for the two years ending August 31, 1903, \$169,220.

The following extracts are from the Commissioner's latest biennial report:

#### "DISPOSITION OF THE PUBLIC DOMAIN UNDER THE CONSTITUTION OF 1876.

As definitely as can be ascertained from surveys and other data accessible to the General Land office, the total area of the State is.....	170,926,080 acres.
Certificates located and returned to the General Land Office prior to April 18, 1876 (the day the Constitution took effect) .....	109,667,618.44 acres.

Public domain in the State, April 18, 1876.....	61,258,461.56 acres.
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Which has been disposed of as follows:

#### PERMANENT SCHOOL FUND.

1. Surveyed for .....	21,865,714.11	
2. Recovered for .....	1,422,781.40	
3. Appropriated, act February 23,		
1900 .....	4,456,355.00	27,744,850.51 acres.
County school fund.....		2,208,611.00 acres.
University .....		2,127,407.00 acres.
Railroad and individual locations.....		24,454,713.05 acres.
State capitol .....		3,000,000.00 acres.
Area in lakes and bays.....		1,722,880.00 acres.

Total .....	61,258,461.56 acres.
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Number of applications to purchase land received, filed, registered and acted upon.....	22,867
Number of applications accepted, upon which awards were made .....	12,175
Number of purchase applications rejected for various causes.....	10,692
Number of acres of school land sold.....	6,052,873
Number of school land claims forfeited for non-payment of interest .....	1,138
Number of accounts on ledgers and records canceled.....	1,176
Number of acres forfeited, 1899, 328,475; 1900, 154,473....	482,948
Number of acres leased, or for which new contracts were written .....	11,084,660
Number of claims approved for patent.....	1,968
Number of claims patented.....	1,968
Number of acres patented.....	711,773
Certificates of rebates and refund issued in school land department .....	5,112

\* \* \* \* \*

On September 31, 1900, there were thirty-four foreign and domestic corporations leasing public school land. Their aggregate holdings under lease amount to 542,146 acres.

\* \* \* \* \*

There have been surveyed for the Deaf and Dumb Institute ..... 100,000 acres.

Of which there have been

549 sales, less forfeitures, aggregating..... 97,342 acres.

Balance unsold ..... 2,658 acres.

There have been surveyed for the Blind institute..... 100,000 acres.

Of which there have been

577 sales, less forfeitures, aggregating..... 95,975 acres.

Balance unsold ..... 4,025 acres.

There have been surveyed for the Lunatic Asylum..... 100,000 acres.

Of which there have been

523 sales, less forfeitures, aggregating..... 99,600 acres.

Balance unsold ..... 400 acres.

There have been surveyed for the Orphan Home..... 100,000 acres.

From which there were transferred to a fund called Bay-

land Orphan Home..... 48,645 acres.

And there have been

160 sales, less forfeitures, aggregating..... 48,645 acres.

97,290 acres.

Balance unsold ..... 2,710 acres.

\* \* \* \* \*

**INTEREST RECEIPTS FROM SCHOOL LAND SALES FROM AUGUST 31, 1895,  
TO SEPTEMBER 1, 1900.**

For year ending August 31, 1895.....	\$467,784 12
For year ending August 31, 1896.....	325,601 16
For year ending August 31, 1897.....	448,326 29
For year ending August 31, 1898.....	417,225 87
For year ending August 31, 1899.....	414,185 07
For year ending August 31, 1900.....	445,705 32

\* \* \* \* \*

**ANNUAL RECEIPTS FROM LEASE OF PUBLIC SCHOOL LAND FROM AUGUST  
31, 1895, TO SEPTEMBER 1, 1900.**

For year ending August 31, 1895.....	\$170,476 71
For year ending August 31, 1896.....	216,369 10
For year ending August 31, 1897.....	234,108 06
For year ending August 31, 1898.....	321,858 90
For year ending August 31, 1899.....	357,424 79
For year ending August 31, 1900.....	472,672 40"

Official fees earned by the department during the period covered, \$13,-578.42.

Total number of acres of land patented to railroads under laws granting land to them as an aid to construction, 35,768,718 acres, of which 273,280 acres were lost to patentees by the decision in the Greer county case, and 1,316,383 acres were recovered by the State by suit.

"The Twenty-sixth Legislature," says Commissioner Rogan, "passed an act providing for the appointment of two State agents, whose duty it should be to go into the field and ascertain who were using the public school lands unlawfully and to make due report thereon so that forced collections could be made for such unlawful use.

"In obedience to this law, with the approval of Your Excellency, Mr. J. J. Cocke, of Cuero, and O. L. Slayton, of Decatur, both of whom are men with wide experience, of mature judgment, and are well qualified for such work, were appointed, and were put in the field September 1, 1899.

"Their usefulness to the school fund is difficult to estimate. The fact that they are in the field, making investigations every day acts as an incentive to people using the lands to lease or purchase the same.

"They make their reports every week and are never idle. Upon reports furnished by them, Hon. T. S. Smith, the Attorney General, has collected and paid into the State treasury up to September 1, 1900, on account of such unlawful use of the public lands, the sum of \$31,-402.34, which, together with the amount I caused to be paid direct to the State Treasurer, aggregates \$55,455.79. But this does not represent all of their work during that time, for the Attorney General now has on hand a great number of reports on which, for the lack of time, he has made no collections, but which remain as pending business."

In the report he recommends needed amendments to the mining laws, legislation that will protect mineral lands belonging to the public school fund, and other legislation that, in his judgment, should be enacted.

## COMMISSIONERS OF THE GENERAL LAND OFFICE, REPUBLIC.

John P. Borden, the first Commissioner, was appointed July 3, 1837, and entered upon the duties of the position August 23, 1837. The General Land Office was formally opened by him on the first Thursday in January, 1838 (January 4), in obedience to an act of the Texas Congress.

After a term of efficient service of more than three years, he addressed the following letter to President Lamar, tendering his resignation:

"GENERAL LAND OFFICE,  
"AUSTIN, Dec. 12, 1840.

"His Exc'y, Mirabeau B. Lamar.

"SIR: Circumstances having rendered it necessary for me to retire from the situation I now occupy in the government, I herewith tender Your Excellency my resignation as Commissioner of the General Land Office, hoping that the temporary vacancy occasioned by so doing will in no wise prejudice the interest of the public, or derange the affairs of said office.

"I remain your obt. servt.,

"JOHN P. BORDEN,  
"Com. G. L. Office."

H. W. Raglin was appointed Acting Commissioner to fill the vacancy thus occasioned, and served as such until succeeded by Thomas Wm. Ward, January 4, 1841. Ward was Commissioner during the remainder of the Republic, and thereafter under the State government until the election of Geo. W. Smyth.

### COMMISSIONERS OF THE GENERAL LAND OFFICE, STATE.

	Elected by the Legislature.	Elected by the People.	Appointed.	Qualified.	Remarks.
Thomas Wm. Ward.....			Dec. 22, 1840		By Gov. Henderson.
Geo. W. Smyth.....	Mch. 20, 1848				
Geo. W. Smyth.....		Aug. 6, 1849			
Stephen Crosby <sup>1</sup> .....		Aug. 4, 1851			
Stephen Crosby.....		Aug. 2, 1853			
Stephen Crosby.....		Aug. 6, 1855		Mch. 1, 1856	
Francis M. White.....		Aug. 4, 1857		Feb. 27, 1858	Took charge of office March 1, 1858.
Francis M. White.....		Aug. 1, 1859		Mch. 1, 1860	
Stephen Crosby.....		Aug. 5, 1861		Mch. 1, 1862	
Stephen Crosby.....		Aug. 3, 1863		Mch. 1, 1864	
Stephen Crosby.....		June 25, 1866			Removed by Gen. Griffin August 27, 1867.
Joseph Spence.....			Aug. 27, 1867		Appointed by Gen. Griffin.
Jacob Kuechler.....		Nov. 30-Dec. 3, 1869	Jan. 8, 1870	Jan. 19, 1870	Appointed by Gen. Reynolds.
J. J. Groos.....		Dec. 2, 1873		Jan. 20, 1874	
J. J. Groos.....		Feb. 15, 1876		Apr. 23, 1876	Died June 15, 1878.

<sup>1</sup> Act of February 13, 1852: "Whereas, there exists some doubt as to the precise time at which the term of office of the present Commissioner of the General Land office expires \* \* \* be it enacted by the Legislature of the State of Texas, that the official term of Stephen Crosby, Commissioner-elect of the General Land Office, shall commence on the first day of March, 1852, and continue two years \* \* \*"

**COMMISSIONERS OF THE GENERAL LAND OFFICE, STATE.—continued.**

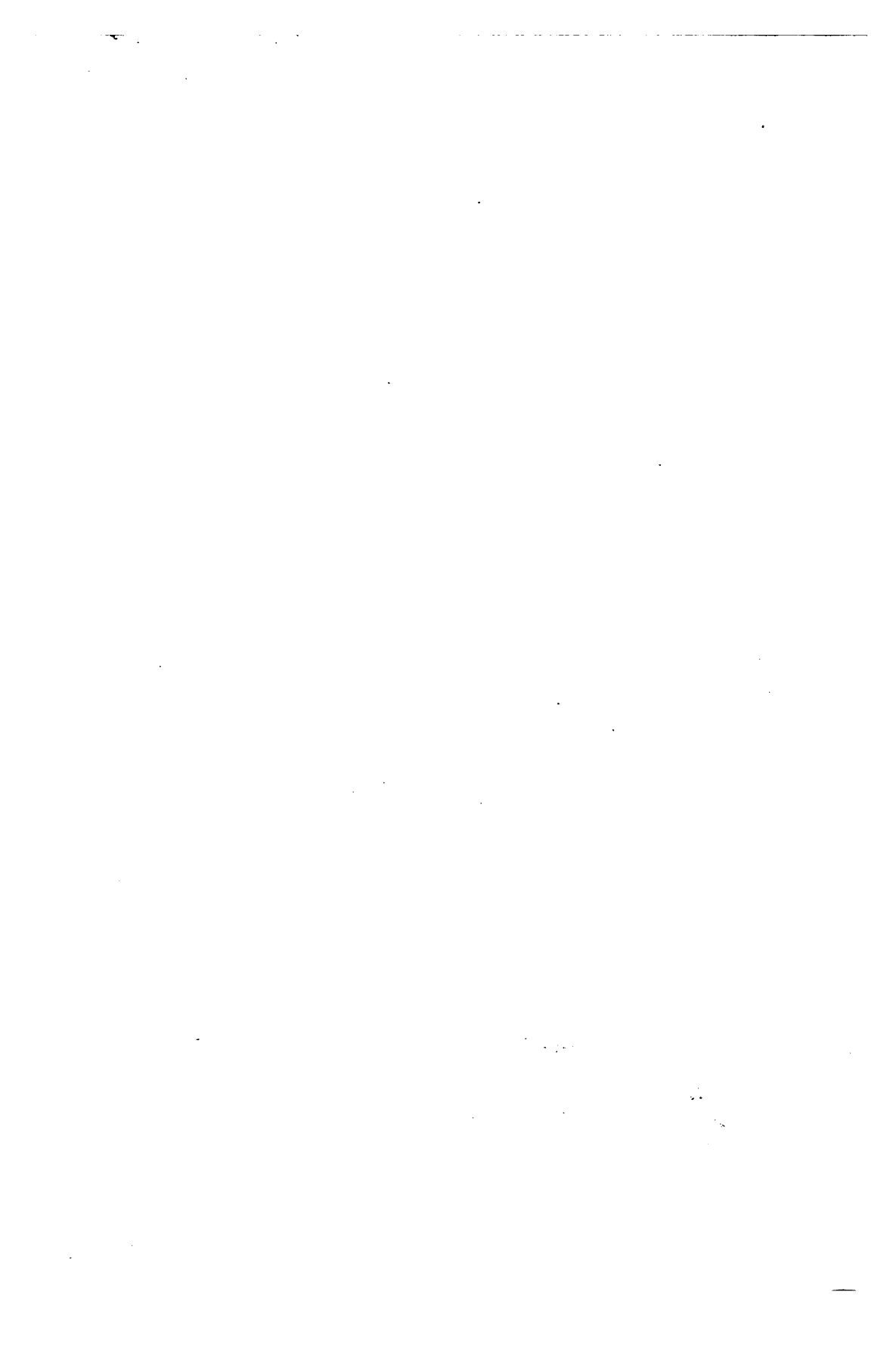
	Elected by the Legislature.	Elected by the People.	Appointed.	Qualified.	Remarks.
W. C. Walsh.....			July 30, 1878	July 30, 1878	Vice J. J. Groos, deceased.
W. C. Walsh.....		Nov. 5, 1878		Jan. 1, 1879	
W. C. Walsh.....		Nov. 2, 1880		Jan. 18, 1881	
W. C. Walsh.....		Nov. 7, 1882		Jan. 16, 1883	
W. C. Walsh.....		Nov. 4, 1884		Jan. 20, 1885	
R. M. Hall.....		Nov. 2, 1886		Jan. 10, 1887	
R. M. Hall.....		Nov. 6, 1888		Jan. 1889	
W. L. McGaughey.....		Nov. 4, 1890		Jan. 16, 1891	
W. L. McGaughey.....		Nov. 8, 1892		Jan. 17, 1893	
A. J. Baker.....			Jan. 25, 1893	Jan. 26, 1893	
					Appointed to serve during the impeach- ment trial of McGaughey. Served for a few weeks only, McGaughey re- suming the of- fice.
A. J. Baker.....		Nov. 6, 1894		Jan. 15, 1895	Died May 4, 1899. Appointed to fill vacancy caused by the death of Finger.
A. J. Baker.....		Nov. 3, 1896		Jan. 19, 1897	
George W. Finger.....		Nov. 8, 1898		Jan. 16, 1899	
Charles Rogan.....				May 11, 1899	
Charles Rogan.....		Nov. 6, 1900		Jan. 14, 1901	

Article 14 of the plan of the provisional government, adopted by the Consultation in November, 1835, provided "that all commissioners, empresarios, or persons in anywise concerned in the location of lands, be ordered forthwith to cease their operations during the agitated and unsettled state of the country, and continue to desist from further locations until the Land Office can be properly systematized by the proper authority which may hereafter be established; and that fit and suitable persons be appointed to take charge of all the archives belonging to the different land offices, and deposit the same in safe places." Persons were appointed by the Convention for each department to receive and preserve the archives referred to. Those selected for the department of Bexar were Messrs. Kerr, Sutherland, Linn and Williamson.

The Consultation also directed the political chiefs of Nacogdoches, Brazos and Bexar to cease their functions and send the archives in their possession to the Provisional Governor and General Council for disposition. Primary judges, alcaldes, and other municipal officers were ordered to turn over all records and papers in their possession to their successors when elected. Said successors were elected by the General Council.

A joint resolution of the Texas Congress, approved September 30, 1837, provided that so much of an act entitled "An Act supplementary to an act to establish a General Land Office for the Republic of Texas," passed December 22, 1836, as provided for the opening of the Land Office October 1, 1837, be suspended until further action by Congress.

The act of December 22, 1836, referred to, provided for the appointment of a Commissioner of the General Land Office, to be appointed by the President and confirmed by the Senate, hold office for three years and receive an annual salary of \$3,000. It authorized the Commissioner to employ clerks and divided the Republic into ten land districts, for





HON. J. FELTON LANE



each of which a board of land commissioners was to be appointed to examine and report upon land titles.

The act approved December 14, 1837, which superseded the foregoing, made each county a land district, and provided for a board of commissioners for same; directed that the General Land Office should be opened the first Thursday in January, 1838, and, continuing, provided "their (the several boards of land commissioners) operations shall be confined to the granting and completing of land titles to all those who by the existing and previous laws have acquired a preference in the first location. Of this class are all citizens who were residing in Texas on the day of the declaration of independence, and those volunteer soldiers who served a tour of duty in the army of Texas previous to that time. For this class of claimants the Land Office shall be opened and remain six months in operation, granting and completing titles alone to that class of claimants. After which other legal claimants shall be entitled to have their land titles completed as herein provided and directed. \* \* \* The audited claims against the Republic of Texas shall be receivable in payment of public dues on land, to the extent of two leagues and two labors." The Commissioner of the General Land Office was authorized to employ a translator. County surveyors were directed to make maps of the various counties showing surveys. The law provided that the boards of land commissioners (a chairman and two associate commissioners) and a county surveyor, for the several counties, were to be elected by joint ballot of Congress.

Under an act approved January 29, 1840, two boards of traveling land commissioners, consisting of three members each, were elected by joint ballot of Congress, one to visit all the counties east of the Brazos and the other all the counties west of that stream, and, "in conjunction with three county commissioners, elected for each county in like manner by Congress, inspect the records of the county boards of land commissioners," and report to the Commissioner of the General Land Office whatever land certificates they might determine had been issued by said boards in accordance with law and were "legal and valid"; certificates not so reported to be void.

An act approved January 19, 1841 (to take effect immediately upon its passage) required the Land Commissioner to make out forthwith patents on all certificates returned, or thereafter returned, as genuine by the different boards of land commissioners.

Following annexation the Land Office was continued by an act approved May 12, 1846, which took effect from and after its passage.

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## JOHN FELTON LANE, HEARNE.

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John Felton Lane was born near the town of Longview, Texas, April 23, 1872.

His grandfather, John S. Lane, and great uncle, William S. Lane, came to Texas at an early day, and are buried side by side near Schulenberg, his grandfather, a participant in the struggle for Texas independence, dying near La Grange in 1842.

His father, William T. Lane, lives in Gregg county, Texas, where

he has resided for many years. His mother, Dorothy Florede Lane (*née* Felton) died in 1879, when the subject of this sketch was but seven years of age.

William T. Lane was born near the old town of Danville, Rusk county, in 1837; lost his father early; succeeded in saving sufficient money to give himself a college education, and has become quite wealthy.

Mrs. Dorothy Florede Lane's father, John Felton, moved from Georgia to Smith county, Texas, many years before the war between the States; lost two sons in the struggle for Southern rights, and at the emancipation was despoiled of nearly two hundred slaves. Dr. W. H. Felton, a near relative, represented the Seventh Georgia District in the United States Congress for twenty years.

"John Felton Lane was educated in the public schools of Longview, from which he graduated when about fifteen years of age," says a writer in the *Southland* of March, 1902, and continues "he then took a ten months' course in bookkeeping, business rules and forms, etc., in Cole's Business College, from which he also graduated. He then became clerk at the Mobberly Hotel at Longview, Texas, and after three years' service as clerk and manager of said hotel, he entered the office of his brother (Otho F. Lane) and read law under him. He was admitted to practice in the district and inferior courts in 1893, and later in the Supreme and other appellate courts of Texas, and the District and Circuit Courts of the United States, the Department of the Interior and the Patent Office and Pension Bureau. He was married on his twenty-first birthday to Miss Mollie Wooley, the only daughter of Lorenzo Wooley, a highly respected farmer, living near Longview. Two children have blessed their union, the oldest, a son, whom they lost; the youngest, a daughter, Marguerite, now three years of age. Mr. Lane located in the town of Hearne, Texas, in August, 1895; has been City Attorney of Hearne since November, 1896; is attorney for the Hearne Building and Loan Association, the New York and Hearne Oil and Mining Company and many other corporations and firms. He has a fine civil practice in all branches, but has made a specialty of commercial, probate and bankruptcy litigation and damage suits against corporations. He has a splendid law library and one of the finest literary libraries in this portion of the State, numbering over a thousand volumes of carefully selected works and sets. He subscribes for about thirty-five of the leading papers and magazines of the United States and is widely read on all questions of public interest. In politics he is what is known as a Bryan Democrat, and was President of the Bryan-Sewell Club in 1896 and of the Bryan-Stevenson Club in 1900. He is widely known as a public speaker, being known as the "Tall Sycamore of the Brazos," a sobriquet first given him by the *Hearne Advocate* upon the occasion of his introducing Roger Q. Mills to an audience. He has made a great many speeches in Robertson and other counties on various subjects; those most widely published being probably his address to the Brazos Valley Medical Association and his McKinley Memorial Address. He was for some months editor of the *Hearne Democrat*, and many of his editorials were published in full in a number of exchanges. He owns a comfortable and elegantly furnished home, besides a number of residence houses which he rents, and also other property in Hearne and elsewhere. He was elected by the Robertson county bar to hold the June, 1901, term of the

District Court for that county, and is very popular with the members of his own profession, as well as being generally popular with all classes. He is Commander of the Sam Davis Camp, Sons of Confederate Veterans, located at Hearne, Texas, and takes a great interest in all matters of Southern history and traditions. In personal appearance, Judge Lane is rather a striking figure; he is 6 feet and 6 inches in height, weighing about 195 pounds and is a pronounced blonde. He is particularly affable and courteous in his manners and disposition, and his friends are found among all classes and conditions of men. He impressed us as unusually enterprising and wide awake upon all subjects which looked to the development of the country."

Judge Lane is Precinct Democratic Chairman and Precinct Representative of the Democratic National Executive Committee. He is proprietor of the Hearne opera house.

He is, in the strictest sense, a self-made man. Since sixteen years of age he has fought his own way, and received from no source whatever a dollar that he did not earn by a dollar's worth of service.

What he has accomplished has been solely by his own exertions, and so modeling his inward and outward life as to deserve the measure of success that he has attained, the preferment that has been accorded him by his friends and fellow citizens, and the kind, complimentary expressions the press of the State have employed, from time to time, in alluding to him and his career.

He is pressing forward in the ranks of the younger men of ability, by whose courage, genius and well-directed and unremitting energy the Texas of the immediate future is to be guided to the accomplishment of the good for which trains of causes have already been set in motion. and then, by a fresh impulsion, started, with augmented strength, upon a broader career of prosperity and renown.

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### S. W. T. LANHAM, WEATHERFORD.

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Congressman from the Eighth Texas District (Brown, Coleman, Comanche, Coryell, Erath, Hamilton, Hood, Lampasas, Mills, Parker, Runnels, Somervell and Tarrant counties), was born in Spartanburg district, South Carolina, July 4, 1846; entered the Confederate army when a mere boy, and served gallantly in the Third South Carolina regiment until the end of the war; came to Texas in 1866; was admitted to the bar in 1869; was later District Attorney of the Thirteenth Judicial District; was Democratic presidential elector for the Third Congressional District in 1880; was elected to the Forty-eighth Congress from the Eleventh Texas District November 7, 1882 (Texas' representation having been increased from six members under the census of 1870 to eleven in 1882, under the census of 1880); was re-elected from the Eleventh District November 7, 1884; November 2, 1886; November 6, 1888, and November 4, 1890 (to the Forty-ninth, Fiftieth, Fifty-first and Fifty-second Congresses); was not a candidate for renomination and re-election in 1892 and 1894; was nominated for and elected to the Fifty-fifth Congress November 3, 1896, from the Eighth Texas District, the State having been reapportioned into thirteen congressional districts

under the census of 1890; and was re-elected to the Fifty-sixth Congress November 8, 1898, and to the Fifty-seventh Congress November 6, 1900. His terms of service extend over eight Congresses.

Upon his entrance into the national House of Representatives, he at once took rank as a man of high ability. Before the close of the first session his kindly bearing toward his colleagues won for him a coterie of warm personal friends, who afterwards remained firmly attached to him, and the clearness, quickness and depth of his perception, the breadth and soundness of his views relative to pending measures, the genuineness of his Democracy, and the coolness and steadiness of his moral courage aroused the enthusiastic admiration of his fellow members of the Democratic faith and the unqualified respect of his political opponents. With so good a start, it is not surprising that his usefulness as a member increased with each succeeding session. The journals of the House preserve his record. It is one of duty performed, often amid trying and perplexing circumstances, but always patriotically and fully.

He is in the very prime of manhood, experienced in public affairs, a fine lawyer, and a practical and conservative statesman qualified most admirably for the Governorship of Texas, to which high position it now seems certain he will be called by the voice of the Democracy of the State and elected by the ballots of the people.

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### ARTHUR LEFEVRE.

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Arthur Lefevre, State Superintendent of Public Instruction, was born in Baltimore, Md., in 1863; was a student at the University of Virginia in 1882-1885; engaged in merchandizing in Baltimore in 1885; from 1887 to 1890 resided first at St. Paul, Minn., and later at Wichita, Kan., where he engaged in the land business and taught a private school; was elected teacher of mathematics in Ball High School, Galveston, in 1890, and moved to Texas from Baltimore, whither he had returned from the West; was elected to and accepted the position of Superintendent of the city schools of Gonzales in 1892, and instructor in mathematics in the University of Texas in 1894; accepted the superintendency of the city schools of Victoria in 1899, and was discharging the duties of that position when appointed State Superintendent of Public Instruction by Governor Sayers May 15, 1901, to take effect July 2, 1901, at which time Hon. J. S. Kendall retired from the office of Superintendent of Public Instruction to accept that of principal of the newly established State Normal School at Denton.

Mr. Lefevre was married to Miss Adela Beale Yerby, of Baltimore, Md., in 1887, and has three children. He is a member of the Presbyterian church. He is descended from fine old Huguenot stock that settled in this country in the seventeenth century, and his wife is of Virginia ancestry. His father, Rev. J. A. Lefevre, of Baltimore, is a retired minister of the Presbyterian church, distinguished for zeal and ability and for his fidelity to the Southern cause during the war between the States.

Arthur Lefevre's reputation as an educator is too well known to need

favorable commentary. His capacity as a thinker and orator, however, was not brought prominently to the attention of the people at large until his address on "Education," delivered at a meeting in 1901 shortly after he entered upon his present duties. The speech is a masterpiece of its kind, both in thought and expression, and at once marked him in public estimation as a man of broad and enlightened views and superior mind.

The general opinion is that the office is in good hands, that the interests of the public free schools will be looked after properly, and that such changes for the better will be inaugurated by him as experience may recommend.

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## TWENTY-SEVENTH LEGISLATURE.

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The Twenty-seventh Legislature met in Regular Session January 8, 1901, and adjourned *sine die* April 9, 1901; met in First Called Session August 6, 1901, and adjourned *sine die* September 4, 1901; and met in Second Called Session September 5, 1901, and adjourned *sine die* October 1, 1901. Among the acts passed by it that received approval, the resolutions that were adopted, and the proceedings had, may be enumerated the following:

January 11, 1901, a joint committee (Decker, Thurmond, and Mulkey, on the part of the House, and Lloyd, Potter, and Turner, on the part of the Senate) reported, recommending that the Senate and House meet in joint session at 10:30 a. m. Monday, January 14, 1901, for the purpose of counting and declaring the result of the vote for Governor and Lieutenant-Governor, and in joint session at 12 o'clock noon Tuesday, January 15, 1901, at which time the joint committee would escort the Governor and Lieutenant-Governor-elect to the Speaker's stand and the oath of office be administered by the Chief Justice of the Supreme Court. The report was adopted and the program it provided carried out, the inauguration of Governor Sayers and Lieutenant-Governor Browning taking place in the presence of a large concourse of citizens (ladies and gentlemen) who gathered in the hall (in addition to the members) to witness the imposing ceremonies.

In the Senate Chamber, January 22, 1901: The chair announced that the hour of 11:30 a. m. having arrived, and that the special order for that time being to ballot for United States Senator to succeed Hon. Horace Chilton, he declared nominations for said office to be in order.

Senator Potter nominated Hon. Joseph Weldon Bailey in a glowing speech, and Senators Staples, Harris, Johnson, Savage, and Odell seconded it, adding their quotas of eulogium. As a compliment, Senator Stafford placed in nomination Hon. E. A. Atlee, of Webb county, reviewing his public services, etc. Senator Patterson seconded the nomination of Mr. Atlee. The vote being taken, resulted as follows: Bailey, 27; Atlee, 2; absent, 1; excused, 1.

In the House (at the same time) Mr. Hill nominated Bailey, and Messrs. Mulkey, Adair, Walker, Stewart, Grisham, and Murrell seconded the nomination, some of the speeches being adorned with choice flowers of rhetoric, and models of their kind. No other name being placed in nomination, a ballot was taken, which resulted as follows:

Bailey, 110; Horace Chilton, 2; M. M. Crane, 1; John H. Reagan, 1; absent, 3; absent excused, 9.

At 12 o'clock noon the following day the Senate repaired to the Hall of the House of Representatives, where a joint session was held, at which the Secretary of the Senate read from the Senate Journal, by direction of the President of the Senate, and the Chief Clerk from House Journal, by direction of the Speaker, the record of the action taken on the day before.

The Speaker then said: "Joseph Weldon Bailey having received a majority of all the votes cast in each House, I now declare him duly and constitutionally elected United States Senator for the ensuing term of six years, beginning March 4, 1901."

On motion, Messrs. Schluter, Harbison, and Gray of Comanche, on the part of the House, and Senators Potter and Odell, upon the part of the Senate, were appointed as a committee to inform Mr. Bailey of his election and request him to address the joint session.

"The committee retired at once and in a brief space of time returned, accompanied by Senator-elect J. W. Bailey, whom they accompanied to the Speaker's stand.

"Speaker Prince then introduced Mr. Bailey to the joint session as United States Senator-elect, and he addressed the joint session briefly, in his usual felicitous style, after which, on motion of Senator Dibrell, the Senate retired to its chamber."

An act was approved January 30, 1901, extending for ninety days the collection and payment of State taxes in the counties of Brazoria, Colorado, Galveston, Grimes, Matagorda, Fort Bend, Harris, Waller, Austin, Wharton, Jackson, Chambers, Brazos, Burleson, Robertson, Montgomery, and Washington, in order that such payments might not fall due until the Legislature had an opportunity to extend such permanent relief as damages sustained by the storm of September 8, 1900, might demand.

In the House, January 30, 1901, Mr. Tarpey introduced two resolutions that were adopted, one thanking the ladies of the State for tending the sick and stricken people of the coast after the great storm of September 8, 1900, and the other thanking the physicians and surgeons of Texas for services rendered at that time. A resolution was adopted in the House, January 31, 1901, extending thanks to the Republic of Mexico for a donation to sufferers from the September, 1900, storm.

January 31, 1901, Mr. Napier introduced a resolution in the House, endorsing the action of the Governor in inviting a committee of the Merchants' Association and Chamber of Commerce of New York City to visit Texas, joining him in said invitation, and empowering the Speaker to appoint a committee consisting of one citizen from each congressional district to co-operate with the Governor in showing the committee the various sections of the State and extending other courtesies. The resolution was read a second time and adopted. E. H. R. Green was subsequently, on motion of Ragland, Hill, and Morrow, added to the committee.

The House adopted a resolution, February 1, 1901, extending thanks to the Red Cross Society for work done in the district of Texas visited by the storm of September 8, 1900.

February 5, 1901, it adopted a resolution inviting ex-Governor Hogg to address the joint committee of the House and Senate on constitutional amendments.

An act was approved February 12, 1901, fixing August 31st as the termination of the fiscal year for all State departments, institutions, and officials required to make annual or biennial reports. An act approved December 11, 1857, fixed August 31st as the end of the fiscal year for the departments, etc., then existing. Subsequent laws fixed other dates for the departments, institutions, and officers for which they provided. The Act of February 12, 1901, establishes uniformity in the time of making reports and for which biennial appropriations are made.

An act was approved February 18, 1901, appropriating \$20,000 annually for the support of the North Texas Normal at Denton (established by an act approved March 31, 1899) and containing other provisions necessary to the opening of the institution.

An act was approved February 21, 1901, appropriating \$75,000 for the fiscal year 1901 and \$125,000 for the fiscal year 1902 for erecting and equipping buildings, etc., and putting in operation a branch asylum at or near Abilene for the care and treatment of the epileptic insane of the State. [An act providing for the establishment of this asylum was passed by the Twenty-sixth Legislature and approved February 9, 1899, and was amended by an act passed by the First Called Session of the Twenty-sixth Legislature and approved February 20, 1900. The buildings for the asylum are now being constructed under a contract that calls for their completion by August 1, 1903.]

A House resolution was adopted February 21, 1901, expressing gratitude to those donating to sufferers from the storm of September 8, 1900.

An act regulating the practice of medicine was approved February 22, 1901.

A concurrent resolution was approved March 7, 1901, declaring the *lupinus subcarnosus* (generally known as buffalo clover, or "blue-bonnet") the State flower of Texas.

A joint resolution submitting an amendment to Article 6, Section 2 of the Constitution, to be voted on at the next general election, was presented to the Governor for his approval March 6, 1901, and, not being vetoed, became effective without said approval in the time fixed by the Constitution. The amendment makes changes as to the qualification of foreigners as citizens, and prescribes, for all persons entitled to suffrage, the payment of poll tax as a prerequisite to voting.

In the House, March 14, 1901, Mr. Hawkins, by unanimous consent, offered the following resolution:

"WHEREAS, The House has just learned with sincere regret of the death of the Hon. Benjamin Harrison, ex-President of the United States; therefore be it

"Resolved, That in his death this country has lost an able jurist, an honored ex-President and distinguished statesman, and that liberty has lost one of its truest and ablest defenders, and that without regard to party we sympathize with his family in their sad bereavement. Signed: Hawkins, Glenn, Clements."

"The resolution was read a second time, and was adopted, after being amended, on motion of Mr. Terrell of Cherokee, by striking out the words 'without regard to party.'"

A page in both the Senate and House Journals is devoted to the following record:

"Sacred to the memory of Thomas S. Smith, late Attorney General. House Concurrent Resolution No. 23. *Be it resolved* by the House of

Representatives, the Senate concurring, That it is with profound regret that we have learned of the death of Hon. T. S. Smith, Attorney General of this State.

"That in his death Texas has lost a faithful public servant and the people have lost a loyal friend.

"*Resolved*, further, That the Legislature repair in a body to the residence of Mr. T. S. Johnson this afternoon at 2 o'clock and accompany the remains of the deceased to the railroad station.

"That we extend our profound sympathy and condolence to the bereaved family of the deceased.

"*Resolved*, further, That a committee of three Senators and a committee of seven of the House of Representatives be appointed to attend the funeral of deceased; and

"*Resolved*, further, That a page of the Journal of each House be set apart for the publication of this resolution; that a copy of the same be by the Secretary of the Senate and the Chief Clerk of the House of Representatives sent to the family of the deceased; and that upon the adoption of these resolutions, out of respect for the deceased, both houses of the Legislature stand adjourned until tomorrow morning [March 19th] at 9:30 o'clock.—Boyd."

The following committee was appointed on the part of the Senate: Odell, Wilson, and Miller; on the part of the House: Boyd, Griggs, Ellis, Hendrick, Goodlett, Pierson, and Satterwhite.

In the House, March 18, 1901, Hon. O. C. Mulkey, by unanimous consent, offered the following concurrent resolution, which was read a second time and adopted: "Be it resolved by the House of Representatives, the Senate concurring, That we extend an invitation to His Excellency the President, Wm. McKinley, to visit the city of Austin during his contemplated tour of the Western States, and that the Chief Clerk be instructed to forward a copy of this resolution to His Excellency, the said President Wm. McKinley."

The resolution was amended in the Senate, on motion of Senator Sebastian, so as to read "and that the Secretary of the Senate and Chief Clerk of the House of Representatives be instructed to forward a copy," etc., and adopted, and the House concurred therein.

In the House, March 27, 1901, Hon. W. W. Bridgers offered the following concurrent resolution, which was adopted:

"WHEREAS, His Excellency, President Wm. McKinley, will visit Texas on the occasion of his Southern and Western tour of the United States; and

"WHEREAS, It is known that the citizens of El Paso, Texas, are desirous of arranging a meeting at said city between the presidents of the Republic of Mexico and of the United States; and

"WHEREAS, The citizens of the State of Texas and of the United States are anxious to encourage and promote the most amicable relations between the sister republics of the United States of Mexico and of the United States of America; and

"WHEREAS, President McKinley has signified his intention of stopping at said city of El Paso; and

"WHEREAS, Said city of El Paso affords a convenient and accessible point where said meeting might occur should His Excellency, President Porfirio Diaz, of Mexico, consider that his health and convenience would permit such meeting on his part; now, therefore, be it



*"Resolved*, by the House of Representatives, the Senate concurring, That it is the earnest wish and desire of the Legislature of the State of Texas, for and on behalf of the people of this State, that His Excellency, Porfirio Diaz, President of the Republic of Mexico, and His Excellency William McKinley, President of the United States, should meet at the city of El Paso on the occasion of President McKinley's visit to that city.

*"Resolved*, That said meeting would be regarded as expressive of and as emphasizing the cordial relationship which has existed between the said republics under the administration of the said executives.

*"Resolved*, That a copy of these resolutions be transmitted by wire to President Porfirio Diaz and to President William McKinley by the Secretary of the House and Senate." Adopted by the Senate March 28, 1901.

An act was approved March 28, 1901, accepting the land donated by the people of San Marcos for the Southwest Texas Normal School, providing for the management and control of said school in the same manner as provided for the Sam Houston State Normal, and appropriating \$35,000 for the establishment of the school—\$25,000 to be used for erecting and equipping buildings, and \$10,000 for maintenance.

An act was approved March 28, 1901, appropriating \$25,000 for the first year and \$1,800 for the second year for the inauguration at Prairie View Normal College of a four-year college course of classical and scientific studies, to which graduates of the normal course shall be admitted without examination and to which others may be admitted after having passed a satisfactory examination.

An act was approved March 29, 1901, for the organization and support of the "Ranger Force." [This act supersedes the designation "Frontier Battalion" with that of "Ranger Force," a change in nomenclature to be commended, as it is more truly descriptive and preserves a title under which forces similarly constituted immortalized the name "Texas Rangers" during the Republic and the early days of the State's history and to which the present companies are legitimate heirs by unbroken succession.]

In the House, April 5, 1901, Mr. McFall offered the following resolution, which was adopted by a rising vote:

"WHEREAS, This House has learned with profound regret of the death of Mrs. W. H. Tobin, which occurred in the city at 2 o'clock this morning; and

"WHEREAS, During her life Mrs. Tobin devoted her talents and energies to the upbuilding of Texas; therefore be it

*"Resolved*, That this House recognizes that in the death of Mrs. W. H. Tobin Texas has lost a woman whose patriotic usefulness can not be spared without deep regret; that the community in which she lived has lost a member whose Christian usefulness has been ever present working for good; be it further

*"Resolved*, That a copy of these resolutions be sent, properly engrossed, to the family of the deceased, and that a page in the Journal be set aside as a memorial and reminder of the high esteem in which the deceased is held by this House."

In the Senate, April 8, 1901, Senator Dibrell offered the following resolution, which was adopted:

"WHEREAS, The Legislature of Texas has invited His Excellency, the

President of the United States, on his tour through the South, to visit the capital of the State; and

"WHEREAS, His Excellency, the President, has accepted said invitation; and

"WHEREAS, It is fitting and necessary that some preparation be made for his reception; therefore be it

"Resolved, That the sum of three hundred dollars, or so much thereof as may be necessary, be and the same is appropriated out of the contingent fund of the Senate for the purpose of preparing the Senate Chamber for the reception of the President, and that the Superintendent of Public Buildings and Grounds is hereby authorized to prepare said chamber for said reception, and the Comptroller is directed to issue his warrant on the treasury against said fund to pay said account, after same has been approved by the Governor."

In the Senate, April 9, 1901, Senators Hanger and Dibrell offered a resolution, which was adopted, authorizing the President of the Senate to appoint a committee of five members of the Senate to assist in the reception of President McKinley, and the chair announced the following committee: Senators Dibrell, Hanger, Davidson of Galveston, Patterson, and Turner.

In the Senate, April 9, 1901, Senators Grinnan and Potter offered the following resolution, which was adopted:

"Resolved, That the Senate do grant the use of the Senate Chamber to the Texas Veterans' Association and Daughters of the Republic of Texas for their session during their annual reunion, April 20, 21, and 22."

An act was approved April 11, 1901, donating to the county of Brazoria for a period of two years from January 1, 1901, all moneys received by the State from the State *ad valorem* and three-fourths of the occupation taxes collected in said county, said money so donated to be devoted to repairing and rebuilding in said county, property injured or destroyed by the storm of September 8, 1900.

An act was approved April 17, 1901, making an appropriation to erect a vault over the remains of the Mier prisoners near LaGrange, "the vault in which they are now interred being in a ruinous condition."

An act was approved April 17, 1901, defining blacklisting and providing as a penalty therefor a fine of not less than \$50 nor more than \$250, or imprisonment not less than thirty nor more than ninety days, or both. Section 4 of this act is as follows: "He is guilty of blacklisting who places, or causes to be placed, the name of any discharged employe, or any employe who has voluntarily left the service of any individual, firm, company, or corporation on any book or list, or publishes it in any newspaper, periodical, letter, or circular, with the intent to prevent said employe from securing employment of any kind with any other person, firm, corporation, or company, either in a public or private capacity."

An act was approved April 18, 1901, providing a fine of not less than \$25 nor more than \$200 for trafficking in examination questions prepared by the Superintendent of Public Instruction for the use of county boards of examiners and summer normal boards of examiners in the examination of applicants for teachers' certificates.

An act making appropriations for the support of the State government for the six months ending August 31, 1901, was approved April 12,

1901, with the exception of certain items vetoed by the Governor. The bill as it reached him appropriated a total of \$1,387,539.31; the items vetoed aggregated \$4,278.34; leaving \$1,382,260.97 as the amount actually appropriated.

An act was approved April 18, 1901, amending the law regulating fees of sheriffs and constables. The approval endorsed on the bill is as follows: "I approve the foregoing bill—it being a meritorious measure—though it was not authenticated by the signature of the Speaker of the House of Representatives when presented to me, and I do so in deference to the views of those who, contending that the Journal of the House of Representatives constitutes the exclusive evidence of the fact that the Speaker had signed the bill, believe that such action will expedite a judicial determination of the validity of the proposed law. This the 18th day of April, 1901. Joseph D. Sayers, Governor." When the regular session adjourned *sine die* it was known that an extra session would be called to assemble in August and the sheriffs and constables of the State decided not to go to the trouble and expense of testing the Act of April 18, 1901, in the courts, but wait until that time for the re-enactment of the statute, which was done at said called session. [Act approved September 7, 1901.] No attempt was made to collect fees under the act approved April 18.

An act was approved April 18, 1901, for the payment of Texas Volunteers for services prior to their enlistment in the war against Spain.

An act was approved April 19, 1901, extending the time for the collection and payment of State taxes for 1901 in the counties of Brazoria, Fort Bend, Wharton, Waller, Galveston, Colorado, Austin, Grimes, and Jackson to February 1, 1902.

An act was approved April 19, 1901, donating to the city of Galveston the net amounts of money collected from the following State taxes: (1) *ad valorem* taxes collected from persons in the corporate limits of the city; (2) *ad valorem* taxes collected from railroad companies upon property situated in the county of Galveston, including rolling stock, "which shall be ascertained and apportioned as now provided by law"; (3) three-fourths of all occupation taxes collected from persons doing business in the city; and (4) all poll taxes collected in the city, except the portion belonging to the public school fund. The following are the concluding sections of the act:

"Sec. 6. The municipal authorities of the city of Galveston shall, on the first of January of each year, cause to be made an itemized statement, under oath and in duplicate, showing the amount of money received by the city of Galveston, under the provisions of this act, and how the same has been expended. One copy of such statement shall be forwarded to the Governor of the State and the other to the Comptroller of Public Accounts.

"Sec. 7. The moneys herein granted \* \* \* to the city of Galveston are declared to be a trust fund, for the purpose of aiding the city of Galveston in paying the interest and sinking fund upon an issue or issues of bonds, the proceeds of which bonds are to be used exclusively for the elevation \* \* \* of the streets, avenues, alleys, sidewalks, and lots in said city above calamitous overflows, and for securing and protecting such filling. The use or diversion of such moneys for any other purpose whatsoever is hereby prohibited. A violation of the provisions of this section shall constitute a misapplication of public money, and

the person or persons so offending shall be punished as provided for in Article 96 of the Penal Code of Texas."

An act was approved April 19, 1901, amending the law relating to malicious mischief so as to provide a fine of not less than \$5 nor more than \$100 for cruelty to animals.

An act was approved April 23, 1901, appropriating \$50,000 (\$25,000 per year for 1901 and 1902) for the establishment of an Industrial Institute and College for White Girls.

The following commissioners to select a site for the institute (one from each congressional district) were in accordance with the act, appointed by the Governor, August 23, 1901, and confirmed by the Senate: W. D. Cleveland, Harris; W. M. Rice, Tyler; R. T. Milner, Rusk; J. H. Rowell, Sr., Marion; Rosser Thomas, Fannin; O. B. Colquitt, Kaufman; W. L. Rodney, McLennan; Helen M. Stoddard, Tarrant; A. P. Wooldridge, Travis; John M. Moore, Fort Bend; E. A. Atlee, Webb; Geo. H. Pfeuffer, Bexar; and A. L. Camp, Midland county. January 8, 1902, W. M. Rice, of Tyler county, having resigned, J. B. Roberts, of that county, was appointed by the Governor to fill the vacancy.

Perhaps the most dramatic incident of the First Called Session was the temporary closing of the doors of the First National Bank, of Austin, August 4, 1901, with several hundred thousand dollars of the State's money in its vaults. It was at first thought that the suspension would be permanent and that the money would be lost. Impeachment proceedings were threatened against Treasurer Robbins,<sup>1</sup> but an exhaustive legislative investigation was had that exonerated him. The bank subsequently opened its doors and under an arrangement (suggested by Governor Sayers and authorized by the Legislature) began the repayment of the money into the State treasury in installments.<sup>2</sup>

The scare has had one good effect: an old and dangerous custom has been abrogated, and no chances of loss will be incurred hereafter in the collection of funds due the State. The whole affair proved but the threat of a tempest. Of the incident it may be said—

"So fades the summer cloud away,  
So dies the wave along the shore."

In the Senate, August 8, 1901, a resolution was adopted in honor of Hon. R. H. Harrison, deceased, and is printed as follows upon a page of the Journal set apart for that purpose:

"Sacred to the memory of R. H. Harrison, of McLennan county.

"Senator Swann offered the following resolution:

"WHEREAS, The Senate of the State of Texas learns with profound sorrow and regret of the death of ex-Senator R. H. Harrison, of McLennan county; that in the death of ex-Senator Harrison, the State of Texas suffers the loss of a distinguished and patriotic citizen, an able, painstaking legislator, and a brilliant lawyer, who has served his State and her people faithfully in high office with honor to himself and credit to this great commonwealth; therefore be it

<sup>1</sup>Mr. Robbins has been overwhelmingly endorsed by the people; his renomination without opposition is assured by the primaries that have been held.

<sup>2</sup>The entire amount has now (July, 1902) been paid, in accordance with the agreement.

*"Resolved*, When the Senate adjourns today it stands adjourned out of respect to his memory, that a page of the Senate Journal be set apart for the publication of these resolutions and a copy thereof be forwarded to the family of the deceased by the Secretary of this body.

"The resolution was read a second time, and adopted unanimously by a rising vote."

Similar resolutions were offered in the House by Mr. Terrell the same day and unanimously adopted.

In the House, August 16, 1901, a resolution lamenting the death of Hon. Guy M. Bryan, extolling his memory, and providing that a page of the House Journal be set apart in commemoration of the same, was offered and adopted, signed by Messrs. Moore and Murrell. The memorial page contains the following:

"By order of the House of Representatives this page is dedicated to the memory of Hon. Guy M. Bryan, born in Washington county, Missouri, January 12, 1821; came to Texas in 1831; died in the city of Austin, June 4, 1901.

"Mr. Moore offered the following resolution:

"WHEREAS, The Hon. Guy M. Bryan departed this life on June 4, 1901, since the regular session of this Legislature; and

"WHEREAS, He had several times been a member of the Legislature of Texas, once Speaker of the House of Representatives, and once a member of the Congress of the United States—he was at all times a lover of Texas and a friend of her best interests.

"He came to Texas in 1831, when she was covered by a wilderness of flowers; he remained seventy years to aid in her growth and development, and he departed when she was displaying in every portion of her magnificent domain, the splendid evidences of a modern civilization.

"At the time of his death he was President of the Texas Veteran Association, the remnant of that band of heroes that freed Texas from Mexican domination and planted a young republic in the West.

"Texas feels grateful for the sacrifice and services of her distinguished sons, and believes that, notwithstanding the impetuous rush of events, she should stop long enough to take recognition of death and lay a flower upon the grave of those whose patriotism should make them immortal; therefore be it

*"Resolved* by the House of Representatives, That a page of its Journal be set apart and suitably inscribed in commemoration of the death of the Hon. Guy M. Bryan, and that a copy of this resolution be furnished by the Chief Clerk to the family of the deceased.

"[SIGNED]

"MOORE,  
"MURRELL."

"The resolution was read second time and Mr. Hawkins moved that it be adopted by a rising vote.

"The motion prevailed and the resolution was adopted unanimously."

While the above resolution was under consideration, Mr. Murrell, speaking to the resolution, presented to the House, in behalf of Hon. Beauregard Bryan, the donor, a photographic group of the Fourteenth Legislature of Texas.

Senate Chamber, September 4, 1901 [copied from the Senate Journal]: "Senator James offered the following resolution:

"WHEREAS, United States Senator Charles A. Culberson has presented

to the State of Texas an oil painting of his father, the Hon. David B. Culberson, painted by R. L. Onderdonk, of San Antonio, Texas; and

"WHEREAS, The said David B. Culberson was at one time a distinguished member of the Senate of Texas; and

"WHEREAS, He was recognized by the people of the United States, during his long term of service as a member of Congress from Texas, as one of the most eminent jurists and statesmen known to American history; therefore be it

"Resolved by the Senate of Texas, That said oil painting be hung upon the walls of the Senate Chamber as a partial token of his eminent and patriotic services as a lawyer and statesman and as one whose services in the Legislature of Texas during her formative period as a commonwealth of the Republic were eminent, just, wise, and conservative.

"The resolution was read a second time and, on motion of Senator Davidson of DeWitt, was adopted by a rising vote.

"Senator Potter moved that the Senator from Hopkins (Mr. James) be requested to prepare for the Record his remarks in support of the foregoing resolution.

"The motion prevailed."

The remarks as prepared by Senator James and published in the Record constitute an excellent review of the public services of Col. Culberson and a just commentary upon his personal worth and great abilities.

In the Senate, September 4, 1901, Senator Wheeler offered the following resolution, by unanimous consent:

"WHEREAS, The Senate has learned with deep regret of the death of Hon. Henry W. Lightfoot, of Lamar county, a former member of this body and ex-Chief Justice of one of our Courts of Civil Appeals, and one whose life was devoted to the advancement and interest of Texas; therefore be it

"Resolved, That in the death of the Hon. Henry W. Lightfoot the State has lost one of its most worthy and valuable citizens, and the Senate one of its most faithful and efficient ex-members; that this Senate extends to the bereaved family its sincere sympathy and condolence and, as a further mark of respect to the deceased, a page of the Senate Journal be appropriately inscribed to his memory, and when the Senate adjourns today it does so out of respect to his memory.

"The resolution was read a second time and unanimously adopted by a rising vote."

"It is printed on a separate page of the Journal under the following heading: "Sacred to the memory of Henry W. Lightfoot, of Lamar county." Similar resolutions, signed by Henderson of Lamar and Calvin, were offered in the House by Henderson of Lamar and adopted by a unanimous vote.

In the House, September 4, 1901, Mr. Gary offered the following resolution:

"WHEREAS, It having been the will of the Divine Ruler of the destinies of men and states to remove from this life, at his home in Tyler, Texas, on the 12th day of July, 1901, our late distinguished fellow citizen, Richard Bennett Hubbard; therefore be it

"Resolved, That the House of Representatives of Texas has learned with profound sorrow of the death of this illustrious Texan; that, while bowing in submission to the will of Providence that doeth all things well, our commonwealth sustains by this afflicting event an almost irrep-

arable loss, and that this body doth in this manner place on record the evidence of its respect for the exalted public and private character of the distinguished dead.

*"Resolved,* That in every official station he filled, whether as United States District Attorney, Representative in the Legislature, Colonel in the Confederate States army, President of the Texas Senate, Governor of the State of Texas, or envoy extraordinary and minister plenipotentiary of the United States to the empire of Japan, Mr. Hubbard served his country with rare ability, ardent patriotism and unflinching fidelity to duty; and that as a citizen in the walks of private life he exhibited the gentle nobility and manly virtues that have ever glorified true Southern manhood.

*"Resolved,* That it is the sense of this body that Mr Hubbard, while always evincing a high order of statesmanship, found his greatest forte in oratory (in which he was the legitimate successor of Frank Bowden and William R. Scurry, the peerless ante-bellum orators of Texas), and that the influence of his matchless eloquence will continue to add to the power and fame, the spiritual advancement and material prosperity of Texas—a theme always the inspiration nearest his heart.

*"Resolved,* by the House of Representatives, That the sympathy of this body is hereby tendered to his family; that these resolutions be printed on a separate page in the Journal, and it is further directed that a duly engrossed copy of these resolutions be transmitted to his family under the hand of the Speaker and Clerk of this House.

"The resolution was read a second time.

"Mr. Gary spoke briefly to the resolution, giving an epitome of the life of the distinguished dead, modestly eulogizing his public services, and moved that the resolution be adopted by a rising vote.

"The motion prevailed, and the resolution was adopted unanimously."

Senate Concurrent Resolution (introduced by Senator Harris) was approved September 6, 1901, endorsing the movement among citizens of the State to form an association to build upon the site of the Alamo "a fitting monument to the martyrs of 1836 and establish and maintain a public park surrounding same."

An act was approved September 6, 1901, apportioning the State into Congressional Districts (sixteen in number, an increase of three, as a result of increase of population shown by the census of 1900); one was approved September 6, 1901, apportioning the State into Senatorial Districts (thirty-one in number); and another was approved September 6, 1901, apportioning the State into Representative Districts (reduced by this bill from 128 to 109 in number).

An act was approved September 7, 1901, authorizing the creation of seawalls by counties and cities.

In the Senate, September 10, 1901, Senator Davidson of Galveston presented the following memorial:

"DAUGHTERS OF THE REPUBLIC OF TEXAS.

"HOUSTON, TEXAS, 1901.

*"To the Twenty-seventh Legislature of the State of Texas in Special Session Convened:*

*"The Twenty-fifth Legislature of the State of Texas having given to the Daughters of the Republic of Texas one of the spaces in Statuary*

Hall, set apart to the State of Texas, for the life-size marble statue of Stephen F. Austin, which statue will be placed in Statuary Hall by private subscription, the Daughters of the Republic of Texas feel that the remaining space in said Statuary Hall should be filled by the statue of General Sam Houston, in recognition of his great services to the cause of Texan independence.

"Therefore, the Daughters of the Republic of Texas, acting through its Executive Committee, do most respectfully and earnestly ask the Legislature to declare, by proper means, that said remaining space in the Hall of Statuary, Washington, D. C., shall be filled by the statue of Gen. Sam Houston; and the further request is made that an appropriation be made for the execution of the work.

"Respectfully,

"MARIE BENNET URWITZ, Chairman,

"ADELE BRISCOE LOOSCAN, Secretary,

"MAGGIE TOD MILBY,

"BELLE SHERMAN KENDALL,

"MINNIE PHELPS VASMER (proxy),

"MARY J. BRISCOE (proxy),

"Executive Committee."

The same day Senators Dibrell and Patterson introduced Senate Concurrent Resolution providing that the statue of General Houston should occupy the remaining space assigned to Texas in Statuary Hall if any appropriation was subsequently made by the Legislature for the purpose.

The general appropriation bill approved October 2, 1901, authorized the Governor to contract with Miss Elisabet Ney for the execution of the statue of General Houston, and appropriated \$5,000 for that purpose. The contract has since been entered into and the statue is in process of being put into marble.

In the House, September 10, 1901, Mr. Hendrick offered the following resolution:

"WHEREAS, The grandchildren of one of the heroes and founders of the Republic of Texas has presented to the State of Texas an oil painting of their grandfather, Sterling C. Robertson; and,

"WHEREAS, The said Sterling C. Robertson was the founder of one of the early colonies of Texas, and had introduced more than six hundred families into his colony before the revolution in 1835, and was the empresario of said colony; and,

"WHEREAS, The said Sterling C. Robertson was a signer of the Declaration of Independence of Texas, was a Captain and commanded a company in the war of 1836, and took an active part in the battle of San Jacinto [He was present at the surrender of Santa Anna, and he was also a delegate to the first convention called in Texas. He was a signer of the first Constitution of the Republic of Texas, and a member of the Senate of the First Congress of Texas, and was recognized by his contemporaries as one of the most wise and patriotic citizens of the Republic of Texas]; therefore be it

"Resolved by the House of Representatives of Texas, That said oil painting be received and accepted and hung upon the walls of the Representative Hall as a token of respect of a grateful people of his eminent ability and patriotic service and as one of the heroes who contributed so much to the welfare and upbuilding of the infant republic, and in shap-



ing the destiny of Texas, whereby she is now one of the grandest States of this Union."

On the following day the resolution, being called up in the regular order of legislative business, was, on motion, adopted by a rising vote.

In the House, September 10, 1901, Mr. Seabury offered a resolution upon the attack made upon the life of President McKinley. Said resolution was signed by Shaw, Napier, Callan, Bullock and Wells of Grayson.

Messrs. Aldrich, Little and Wells of Grayson also offered similar resolutions.

A motion was offered and carried that the resolutions be referred to a special committee of five to be appointed by the Speaker.

Thereupon the Speaker announced the appointment of the following committee: Seabury, Satterwhite, Shaw, Aldrich and Little.

The committee, on the same day, reported the following resolutions:

(1) "*Be it resolved by the House of Representatives in Special Session assembled, We do now, both for ourselves and in the name of the people of the State of Texas, extend to Wm. McKinley, President of these United States, and his devoted wife, our deepest and most earnest sympathy in their suffering and sorrow, and we join in the prayers of the American people and the rest of the civilized world for his speedy and complete recovery.*

*"Be it further resolved, That the Speaker of this House be and is hereby authorized and requested to telegraph these resolutions to the President and have a copy of them engrossed and forwarded by mail.*

(2) "*WHEREAS, A demon-inspired attempt has been made to assassinate the President of the United States by one whose nature and instincts are foreign to every sentiment of American citizenship; therefore, be it*

*"Resolved by the House of Representatives of Texas, in Special Session assembled, That this attempted assassination is but the outgrowth of the barbaric principles of anarchism that can find no place among the civilized, intelligent, Christian people of any nation; that it is but the impulse of a frenzied brain, made mad with hope of destroying rather than reforming our government.*

*"Resolved further, That, as representing the great democratic commonwealth of Texas, we earnestly recommend to all the States of our Union, especially to those where the spawn of most depicable 'isms' is deposited and breeds revolution, murder and other crimes, to enact and enforce the most stringent laws with a view to the complete suppression of anarchism, which can produce only discord, disgrace, disaster, murder and assassination.*

*"Resolved further, That, while recognizing the desirability of wholesome immigration, we petition the Congress of the United States to enact and rigidly enforce such additional immigration laws as will prevent the dumping upon America the depraved, debauched and criminal elements of other nations.*

*"Resolved further, That our Representatives in Congress are hereby requested to use every legitimate effort to secure legislation to this end."*

On motion of Mr. Hendrick, resolution (1) was adopted by a rising vote.

On motion of Mr. Morrow further consideration of resolution (2) was postponed until the following day. It was taken up at that time and

adopted, a substitute offered by Mr. Bridgers having been previously voted upon and defeated.

In the Senate, September 13, 1901, Senator Wayland offered a resolution, that was adopted by a rising vote, setting apart a page of the Journal, suitably inscribed, as a memorial in honor of the memory of ex-State Senator L. J. Farrar, of Limestone county, whose death he reported to the Senate.

The death<sup>1</sup> of President McKinley was announced in the Senate September 14th, and a committee, appointed for the purpose, reported resolutions that were adopted on the same day.

In the House, September 14, Mr. Shannon announced that the sad intelligence had been received of the death of President McKinley, and moved that the House stand adjourned until 10 o'clock Monday as a token of respect to his memory. No objection was interposed.

In accordance with a suggestion made by Mr. Shannon, the Speaker announced the following special committee on resolutions: Shannon, chairman; Shaw, Hogsett, Seabury, and Heslep.

On motion of Mr. Tarpey, a resolution offered by Mr. Aldrich, expressing regret and sympathy, and a resolution offered by Mr. Calvin that the House hold a night session Wednesday, September 18th, for the purpose of holding memorial services, were referred to the committee.

The committee made the following report the same day:

"We, your committee appointed to draft suitable resolutions in respect to the death of President McKinley, beg leave to report back the following resolution, with the recommendation of its adoption by the House:

"WHEREAS, The sad intelligence has reached this body that our honored and respected President, Wm. McKinley, is dead, and his death is rendered doubly sad by reason of the fact that it was the result of an assassin's bullet, aimed not at the man, but at the government which he represented, and of which he was the honored head; therefore, be it

*"Resolved, by the House of Representatives in Special Session assembled, acting herein both for ourselves and in the name of the whole people of Texas:*

"First—That in the death of our President the United States has suffered a great national calamity.

"Second—That the people of the State of Texas bow in grief before this great bereavement, which they share in common with the rest of the American people, and humbly invoke the blessings of the God of Nations upon our country in this hour of sorrow.

"Third—That the people of the State of Texas extend their deepest sympathy to the devoted wife and family of our lamented President, and pray that the same inscrutable providence that has permitted this calamity provide a comfort for those who mourn.

"Fourth—That the Sergeant-at-Arms of this House be instructed to drape the Hall in mourning for thirty days as a mark of respect to the memory of President McKinley.

"Fifth—That a session of this House be held on the night of Wednesday, September 18, 1901, for the purpose of conducting memorial serv-

<sup>1</sup>As soon as news was received that the President's life had been attempted and that he had been wounded, the Legislature passed resolutions and sent telegrams of condolence. Governor Sayers telegraphed for information and, when the news was confirmed, sent a dispatch expressing sympathy and the hope that the President would recover.

ices; that the Senate of Texas be invited to attend in a body at such session, and that the Governor of Texas, the Lieutenant-Governor and the Speaker of this House be invited to deliver memorial addresses, and that this invitation be also extended to such Senators and Representatives as may desire to avail themselves thereof.

"Sixth—That a copy of the resolutions be engrossed and forwarded by the Speaker to Mrs. McKinley, a copy spread upon the Journal of the House, and that as a further mark of respect to the memory of our departed President this House now adjourn until next Monday morning at 9:30 o'clock."

The resolutions were, on motion of Mr. Aldrich, adopted by a rising vote.

In the House Monday, September 16th, the following resolution was adopted:

"WHEREAS, It has \* \* \* been learned that the funeral of the President will take place on Thursday, and that the Governor of Texas has issued his proclamation requesting the people of Texas to properly observe the occasion; therefore, be it

"Resolved, \* \* \* That this House do adjourn on Thursday morning at 11 o'clock until 9:30 Friday morning, as a mark of respect to the memory of the late President, and that the hour for the memorial services be appointed for Thursday evening at 8 o'clock; that the people of Texas be invited to attend such services, and that the special committee heretofore appointed by the Speaker be authorized to make all necessary arrangements for such services \* \* \*."

Wednesday, September 18th, the following resolution was adopted by the House:

"WHEREAS, We are informed by the published program of the memorial services to be held by the several churches of the city of Austin on next Thursday at 11 o'clock a. m. that it is in contemplation to make same a union service and to conduct the same in the Tenth Street Methodist Church; and,

"WHEREAS, It is apparent that said church building is of insufficient capacity to accommodate the large number of persons who will desire to attend said services; and,

"WHEREAS, The Hall of the House of Representatives is of much greater capacity and will at the same time be in a state of preparation for similar services ordered by the House to be held at 8:30 p. m. of the same day; therefore, be it

"Resolved, by the House of Representatives, That the use of said Hall is hereby respectfully tendered to those in charge of said memorial services at 11 o'clock a. m. next Thursday."

This invitation was accepted.

September 19, 1901, Representative Seabury, chairman of a House committee, appeared at the bar of the Senate and extended an invitation to the Senate to attend memorial services in the House at 8 o'clock p. m. His colleagues were Messrs. Walker and McClellan.

A committee, consisting of Messrs. Neff, Connally and Grisham, conveyed an invitation to the Governor to be present and deliver an address.

On motion of Senator Turney, the invitation was accepted.

Governor Sayers presided at the 11 a. m. services, which were conducted by Revs. R. K. Smoot, J. A. French, C. G. Widen, and W. D. Bradfield.

The auditorium galleries of the immense hall were filled to their utmost capacity by a representative throng, comprising the beauty, chivalry, moral worth and talent of Texas at the time within the gates of the capital city. The funeral hangings that decked the hall, the evergreens and floral designs fittingly disposed, the dim light, the tolling city bells, and the solemn hush that brooded over the sad-faced multitude, all betokened that those assembled had been drawn together by no feeling of idle curiosity, but to pay in the most public and distinguished way they could devise a tribute of sincere respect to the memory of the murdered President.

The services were impressive and appropriate, giving expression fully to the sentiments of the members of the various religious denominations represented.

Following Governor Sayers' opening remarks, the choir sang "Nearer My God to Thee." Rev. R. K. Smoot delivered the invocation. As he prayed the bells of the city hall and various churches began tolling. When he concluded the choir sang "Lead Kindly Light," Rev. J. A. French read the 9th Psalm, and Rev. C. G. Widen read as a scriptural lessons 1 Corinthians, 15th chapter. Rev. W. D. Bradfield then delivered a prayer, expressing the love of the people for the dead President and invoking divine consolation for Mrs. McKinley. The choir sang "Asleep in Jesus."

Hon. E. T. Moore spoke of "McKinley, the Citizen"; Hon. John H. Reagan of "McKinley, the Statesman," and Hon. John C. Townes of "McKinley, the Christian."

In the course of his address, Judge Reagan said: "When I say he was a good man, I am sure I speak the general judgment of those who knew him best. I do not rely wholly upon the opinions of others as to his character. He and I served together in the responsible positions of members of Congress for ten years and, while we belonged to different political parties, we were always personal friends. I always regarded him as an able, honest man, and entertained for him very sincere respect; and I had assurance that this feeling was reciprocated. When he was elected President the first time, in writing to him on another subject, I said to him that as we had to have a Republican President I was glad it was Wm. McKinley."

At the conclusion of Hon. John C. Townes address the choir sang "My Country, 'Tis of Thee," followed by prayer by Rev. C. P. Goodson. The doxology was then sung by the congregation, and benediction pronounced by Rev. W. T. McDonald.

The attendance at the legislative memorial services, held at 8:30 p. m. and presided over by Representative Shannon, Chairman of the Arrangements Committee, was equally large.

The following occupied seats on the Speaker's stand: Governor Sayers, Lieutenant-Governor Browning, Speaker Prince, and the Chaplains of the House and Senate.

The services were opened with prayer by Rev. J. W. Gatlin, followed by the hymn "King All Glorious," rendered by the best musical talent of the city.

Governor Sayers delivered the first address. In the course of his remarks, he said that he had recently read an editorial paragraph in the Galveston News that greatly interested him; it was "Do Not Fall Out With One Another, You May Both Be Wrong." He said he went to

Congress an extreme Southern Democrat, believing that a Republican could not be honest; but lived to learn that men could differ on great questions and still be honest—learned that in Congress, as elsewhere, men should be governed by the rule “Do unto others as ye would be done by.” Mr. McKinley, he believed, followed that rule in public as well as private life. In concluding, he said he would repeat a sentiment often expressed by President McKinley in private conversation, namely, that there is nothing this side of heaven so much to be desired as that the people of the United States should be bound together by ties of the strongest affection and that henceforth and forever they should stand before the world and before heaven as a band of brothers. “The people of the country do now stand together,” said he, “they are united in condemnation of the assassin; united in their prayer for the bereaved wife of the President.”

Following Governor Sayers, Misses Edwards and Jackson sang “O! Divine Redeemer.”

Speaker Prince and Lieutenant-Governor Browning delivered feeling addresses, after which Mrs. W. G. Bell sang “Holy Redeemer,” with violin obligato accompaniment by Miss Tips.

Short addresses were then delivered by Representatives Mulkey, Aldrich, Neff and Hawkins and Senator Grinnan, after which the chorus sang “Seek Ye the Lord,” and the services were closed with prayer and benediction by Rev. I. S. Davenport, Chaplain of the Senate.

The addresses delivered by Hon. John H. Reagan at the morning services and Governor Joseph D. Sayers at the evening services were especially noteworthy, as both had been at one time colleagues of McKinley in Congress, and spoke of him from personal knowledge—extolling his noble qualities of heart and mind.

The flag on the capitol was kept at half-mast.

The city hall, county court house, Federal building, University, school buildings, and other public edifices were draped in mourning.

Memorial services were held in perhaps every town and village in Texas.

When President McKinley visited the State every honor was shown him. While a majority of the people differed from him in political views, all respected him as an able, sincere and patriotic man. This feeling of respect deepened into a sincere personal regard as the result of his visit, and the kind feeling, good sense and upright purpose evidenced by his conduct and utterances while within the borders of Texas and the guest of our people.

When he departed from our borders he left bearing with him the heartfelt wish of this people that he might live out the high and successful career upon which he seemed but fairly launched.

The fact that he had been stricken down by an assassin's bullet inexpressibly shocked the people of this commonwealth, and when it was learned that it had proven fatal and that he was no more, a feeling of profound sadness and regret, mingled with sympathy for his bereaved wife and children, oppressed every breast and was given expression to in a manner the most general, solemn and sincere within the power of the people.

An act making appropriations aggregating \$5,742,640.62 for the support of the State government for the two years ending August 31, 1903, was approved October 2, 1901, with the exception of items amounting to

a total of \$11,004.64. The actual sum appropriated was, therefore, \$5,-731,635.98. Of this \$50,000 is to pay the operating expenses of the epileptic asylum, at Abilene, from the date of the completion of its buildings to September 1, 1903; and \$10,000 "for the purpose of erecting a monument to the memory of General Albert Sidney Johnston, the site to be selected, the contract to be let, and the work done under the supervision of the Governor, Comptroller, Superintendent of Public Buildings and Grounds and the President of the Daughters of the Confederacy."

A Senate joint resolution (introduced by Senators Dibrell, Savage and Turner) was approved October 21, 1901, providing for a joint committee of five (two Senators and three Representatives) to investigate every State department and institution and make a full report of its findings of facts, recommendations and conclusions, together with the original testimony of witnesses. The resolution took effect ninety days after its approval, viz., January 19, 1902. Early in January, 1902, Speaker Prince announced his appointment of the following as the House members of the committee: Hon. Travis Henderson, of Lamar; Hon. W. T. Shannon, of Bell, and Hon. S. R. Boyd, of Hill; and a few days later Lieutenant-Governor Browning announced his appointment of the following: Hon. Geo. W. Savage, of Montague, and Hon. Robt. N. Stafford, of Wood, as the Senate members of the committee.

The resolution provided that the committee should not consume exceeding one hundred and twenty days in the performance of the labors assigned it; that the members should receive \$5.00 each per day for the first sixty days for actual services and \$2.00 per day thereafter; made allowance for necessary expenses (not including board and lodging); authorized the appointment of a bailiff to serve process; invested the committee with power to compel the production of books and papers, enforce the attendance and testifying of witnesses, punish contempts, etc.; and appropriated \$10,000, or so much thereof as might be needed, for the carrying out of its purposes.

## MEMBERS OF THE SENATE OF THE TWENTY-SEVENTH LEGISLATURE.

No. Dist.	Name.	Postoffice.	Nativity.	Age.	Occupation.	Years in Texas.	Member former Legislatures.	Politics.	Counties comprising district.
.....	Browning, J. N., Lieut. Gov. and Pres. <i>pro tem.</i>	Amarillo.....	Arkansas.....	51	Lawyer....	35	18th, 19th, 20th, and 22nd, House; 23th, Senate....	Dem.	Dallas and Rockwall.
6	Miller, Barry, <sup>1</sup> Pres. <i>pro tem.</i>	Dallas.....	South Carolina.....	36	Lawyer....	19	23th, Senate.....	Dem.	
15	Neal, Geo. D., Pres. <i>pro tem.</i>	Navasota.....	Virginia.....	47	Lawyer....	35	25th and 26th, Senate.....	Dem.	Leon, Madison, Grimes, Montgomery, Walker, San Jacinto, Polk.
10	Odell, D. W., Pres. <i>pro tem.</i>	Oleburne.....	Texas.....	33	Lawyer....	33	23th, Senate.....	Dem.	Ellis, Johnson, Hill.
14	Beaty, J. T.	Jasper.....	Texas.....	46	Lawyer....	46	.....	Dem.	Nacogdoches, San Augustine, Sabine, Newton, Jasper, Tyler, Liberty, Hardin, Orange, Jefferson, Jackson, Calhoun, Victoria, De Witt, Goliad, Refugio, Bee, Live Oak, Karnes, Wilson, Atascosa, McMullen, La Salle, Frio.
22	Davidson, A. B.	Guero.....	Tennessee.....	42	Lawyer....	30	23th, Senate.....	Dem.	Obambers, Galveston, Brazoria, Matagorda, Wharton.
17	Davidson, R. V.	Galveston.....	North Carolina.....	46	Lawyer....	26	.....	Dem.	Gonzales, Caldwell, Guadalupe, Coma., Hays, Pecos.
21	Dibrell, J. B.	Seguin.....	Kentucky.....	45	Lawyer....	43	24th, 25th, and 26th, Senate.....	Dem.	Jack Young, Throckmorton, Clay, Archer, Wichita, Witharger, Baylor, Knox, Foard, Hardeman, King, Dickens, Crosby, Dabcock, Hockley, Cochran, Raley, Lamb, Hale, Hall, Briscoe, Swisher, Castro, Farmer, Dear Smith, Randall, Armstrong, Donley, Collingsworth, Wheeler, Gray, Carson, Fetter, Oldham, Hartley, Moore, Hutchinson, Roberts, Hempill, Lipscomb, Ochiltree, Hansford, Sherman, Dallam, Floyd, Motley, Cottle, Childress.
29	Goss, D. F.	Seymour.....	Texas.....	45	Lawyer....	45	23rd, 24th, 25th, and 26th, Senate.	Dem.	Erath, Comanche, Mills, San Saba, McCulloch, Concho, Runnels, Coleman, Brown.
26	Grinnan, Arch.	Brownwood.....	Virginia.....	34	Lawyer....	33	26th, Senate.....	Dem.	Tarrant, Parker, Hood, Somervell.
30	Hanger, W. A.	Ft. Worth.....	Texas.....	31	Lawyer....	31	26th, Senate.....	Dem.	Dem. Bexar, Medina, Bandera, Kendall, Kerr, Gillespie.
24	Harris, Theodore	San Antonio.....	Missouri.....	41	Lawyer....	6	.....	Dem.	

<sup>1</sup>Miller was elected President *pro tem.* on the organization of the Senate at the regular session, January 8, 1901. On the day of adjournment of the Regular Session (as is the custom), Senator Neal was elected (April 8, 1901) President *pro tem.*, and served as such during the First Called Session. On the day of the adjournment of the First Called Session, Senator Odell was elected President *pro tem.*, and served as such during the Second Called Session. Senator Davidson was elected and served as President *pro tem.* *ad interim*, September 11, 1901, and Senator Fetter September 23, 1901, both the President and President *pro tem.* being absent. In such a contingency, it is the custom for the Secretary to order, put the motion for such election, appoint tellers, and declare the result.

## MEMBERS OF THE SENATE OF THE TWENTY-SEVENTH LEGISLATURE—continued.

No. Dist.	Name.	Postoffice.	Nativity.	Age.	Occupation.	Years in Texas.	Member former Legislatures.	Politics.	Counties composing district.
5	Harris, E. W.	Greenville.....	Texas.....	39	Publisher.....	39	.....	Dem.	Collin and Hunt.
2	James, C. O.	Sulphur Sp'gs.....	Texas.....	40	Lawyer.....	40	23rd House; 26th, Senate	Dem.	Red River, Titus, Camp, Franklin, Hopkins, Delta.
9	Johnson, B. H.	Frost.....	Georgia.....	39	Lawyer.....	13	26th, Senate.....	Dem.	Navarro, Henderson, Kaufman.
16	Lipscomb, A. G.	Hempstead.....	Texas.....	45	Lawyer.....	45	.....	Dem.	Harris, Fort Bend, Waller, Austin.
13	Lloyd, L.	Jacksonville..	Alabama.....	64	Physician.....	34	22nd and 23rd, House;	Dem.	Anderson, Cherokee, Houston, Angelina, Trinity.
8	McGee, M. P.	Marshall.....	Texas.....	31	Lawyer.....	31	26th, Senate.....	Dem.	Harrison, Rusk, Panola, Shelby.
27	Patterson, D. E.	Belton.....	Georgia.....	40	Farmer.....	23	24th and 25th, House;	Dem.	Bell, Lampasas, Coryell, Hamilton, Bosque.
13	Paulus, D. A.	Hallettsville..	Texas.....	38	Lawyer.....	38	26th, Senate.....	Dem.	Colorado, Lavaca, Fayette.
4	Potter, C. L.	Gainesville....	Mississippi	46	Lawyer.....	42	22nd and 26th, Senate	Dem.	Cooke, Grayson.
31	Savage, Geo. W.	Belcherville....	Oregon.....	41	Farmer.....	30	25th and 26th, House;	Dem.	Denton, Wise, Montague.
28	Sebastian, W. F.	Breckenridge	Missouri.....	48	Lawyer.....	24	23rd and 24th, House;	Dem.	Palo Pinto, Stephens, Eastland, Callahan, Taylor, Nolan, Mitchell, Howard, Martin, Andrews, Glasscock, Midland, Ector, Winkler, Loving, Ward, Crane, Upton, Reeves, Gaines, Yoakum, Terry, Lynn, Dawson, Borden, Garza, Kent, Scurry, Fisher, Stonewall, Haskell, Jones, Shackelford, Ratnes, Van Zandt, Wood, Smith, Gregg, Upshur.
7	Stafford, R. N.	Mineola.....	Georgia.....	44	Lawyer.....	25	24th, 25th, and 26th, Senate.	Dem.	Washington, Barleson, Lee, Bastrop.
19	Staples, S. L.	Smithville.....	Kentucky.....	33	Lawyer.....	10	25th and 26th, House.....	Dem.	Falls, McLennan, Milam.
11	Swann, J. J.	Marlin.....	Georgia.....	49	Lawyer.....	28	16th, House.....	Dem.	Cameron, Hidalgo, Starr, Zapata, Webb, Encinal.
23	Turner, D. McNeil	Corpus Christi	Florida.....	48	Lawyer.....	27	25th, House.....	Dem.	Duval, Nueces, San Patricio, Aransas.
25	Turney, W. W.	El Paso.....	Texas.....	39	Lawyer.....	39	23rd and 24th, House;	Dem.	Llano, Mason, Menard, Kimble, Schleicher, Sutton, Crockett, Tom Green, Coke, Sterling, Irion, Pecos, Brewster, Presidio, Jeff Davis, El Paso, Val Verde, Edwards, Kinney, Uvalde, Zavala, Dimmit, Maverick.
12	Wayland, Jno. A.	Oalvert.....	Virginia.....	61	Planter.....	33	24th, House; 25th and	Dem.	Limestone, Freestone, Robertson, Brazos.
3	Wheeler, O. A.	Bonham.....	Kentucky.....	40	Lawyer.....	20	26th, Senate.....	Dem.	Lamar, Fannin.
1	Wilson, J. B.	Texasans.....	Kentucky.....	36	Farmer.....	15	.....	Dem.	Rowle, Cass, Marion, Morris.
20	Yett, W. D.	Marble Falls..	Texas.....	46	Physician.....	46	25th and 26th, Senate.....	Dem.	Williamson, Travis, Burnet.



MEMBERS OF THE HOUSE OF REPRESENTATIVES OF THE TWENTY-SEVENTH LEGISLATURE.

No. District.	Name.	Postoffice.	Nativity.	Age.	Occupation.	Years in Texas.	Member of former Legislatures.	Politics.	Counties composing District.
58	Prince, R. E. Speaker <sup>1</sup>	Corsicana	Mississippi	39	Lawyer	18	26th	Democrat	Navarro.
54	Ackerman, J. M.	Nasasota	New York	43	Merchant, farmer	42		Democrat	Grimes.
38	Adair, W. D.	Huntsville	Mississippi	51	Farmer	40		Democrat	Monigomery, Walker, Trinity.
30	Adrich, A. A.	Crockett	Texas	42	Lawyer	41		Democrat	Houston.
27	Alfred, L. W.	Fairplay	Texas	30	Lawyer	30		Democrat	Rusk, Panola.
34	Bean, F. F.	Kirbyville	Texas	41	Physician	41	26th	Democrat	Jasper, San Augustine, Newton.
51	Beaty, L. E.	Lockhart	Kentucky	54	Lawyer	48	26th	Democrat	Caldwell.
21	Black, W. M.	Marshall	Texas	49	Farmer	49		Democrat	Harrison.
73	Boyd, S. R.	Hubbard City	Texas	40	Lawyer	43		Democrat	Hill.
96	Bridgers, W. W.	El Paso.	Mississippi	31	Lawyer	31	26th	Democrat	El Paso, Presidio, Pecos, Val Verde, Jeff Davis, Brewster, Kinney, Maverick.
61	Brown, G. W.	Eddy	Mississippi	50	Teacher, cotton gin-ner.	19		Democrat	Falls.
107	Bryan, W. J.	Abilene	Texas	39	Stockman	39		Democrat	Jones, Shackelford, Taylor, Callahan.
103	Bullock, W. J.	Iowa Park	Tennessee	35	Merchant	30		Democrat	Wichita, Wilbarger.
32	Calhoun, B. A.	Chico	South Carolina	52	Mechanic, farmer	27	23rd	Populist	Nacogdoches.
89	Callan, C. B.	San Antonio	Washington, D. C.	35	Printer	28		Democrat	Pexar.
6	Calvin, A. E.	Maxey	Missouri	25	Farmer	12	26th	Democrat	Lamar.
94	Clements, Phil H.	Goldthwaite	Indiana	47	Land and ins. agent.	24	26th	Democrat	Mills, Concho, San Saba, McCulloch.
69	Cole, A. T.	Cleburne	Arkansas	30	Lawyer	28	26th	Democrat	Johnson.
72	Connally, Tom.	Marlin	Texas	23	Lawyer	23		Democrat	Williamson, Milam, Falls.
84	Conway, J. S.	Gonzales	Scotland	58	Lawyer	56		Democrat	Gonzales.
65	Craddock, W. A.	Rodgers	Texas	37	Merchant, farmer.	37		Democrat	Bell.
7	Cunningham, Jno.	Ravenna	Kentucky	65	Physician, farmer.	57	13th	Democrat	Faunlin. Elected to fill vacancy caused by the death of W.W. Riddling.
41	Cuny, P. M.	Brookshire	Texas	57	Land agent.	57		Democrat	Waller, Fort Bend.
100	Dean, J. M.	Ben Wheeler	South Carolina	40	Farmer, teacher.	20	26th	Democrat	Van Zandt.
102	Decker, D. E.	Quanah	Texas	34	Lawyer	34	26th	Democrat	Dallam, Sherman, Hansford, Ochiltree, Lipscomb, Hemphill, Roberts, Hutchinson, Moore, Hartley, Oldham, Potter, Carson, Gray Wheeler, Collingsworth, Donley, Armstrong, Randall, Deaf Smith, Farmer, Castro, Swisher, Briscoe, Hall, Chidress, Bailey, Lamb, Motley, Hale, Floyd, Cottle, Hardeman, Foard, Dickens, King.

<sup>1</sup>During the Regular Session, Hon. L. S. Schluter was elected, February 13, 1901, Speaker *pro tem.*, to serve during the absence of the Speaker; Hon. Pat M. Nef, February 14, 1901, and Hon. F. W. Seabury, March 18, 1901.

## MEMBERS OF THE HOUSE OF REPRESENTATIVES OF THE TWENTY-SEVENTH LEGISLATURE—continued.

No. District.	Name.	Postoffice.	Nativity.	Age.	Occupation.	Years in Texas.	Member of former Leg-islatures.	Politics.	Counties composing District.
1	Dillard, W. W.	De Kalb.	Alabama	64	Farmer	53		Democrat	Bowie.
13	Doyle, J. B.	Sildell.	Virginia	52	Farmer, stockman	31		Democrat	Cooke, Denton, Wise.
64	Ellis, H. E.	Groesbeck.	Alabama	31	Lawyer	16	23th	Democrat	Limestone, Leon, Robertson, Madison.
7	Evans, W. R.	Windom.	Kentucky	45	Merchant, farmer	24	23th	Democrat	Fannin.
70	Fears, W. H.	Waxahachie	Georgia	47	Lawyer	30		Democrat	Ellis, Johnson.
55	Fountain, J. L.	Bryan	Alabama	48	Farmer	25	30	Democrat	Brazos, Madison.
91	Garner, J. N.	Uvalde	Texas	30	Lawyer	30	23th	Democrat	La Salle, Zavala, Medina, Frio, McMullen, Dimmit, Uvalde.
24	Gary, Hampson	Tyler	Texas	28	Lawyer	28		Democrat	Smith, Upshur, Camp.
104	Gay, A. T.	Graham	Tennessee	66		24		Democrat	Archer, Throckmorton, Stephens, Knox, Baylor, Young, Died, Feb. 28, 1901.
42	Glenn, C. C.	Sealy	Texas	38	Teacher	38		Democrat	Austin.
47	Goodlett, S. H.	Brenham	Texas	39	Lawyer	39	23th	Democrat	Washington.
74	Goodman, J. L.	Heath	North Carolina	65	Farmer	26	23th	Democrat	Dallas, Rockwall.
101	Gray, R. W.	Proctor	Mississippi	39	Merchant	19	21	Democrat	Comanche.
81	Gray, C.	Cisco	Missouri	28	Teacher	21		Democrat	Palo Pinto, Eastland.
82	Green, J. M.	Yoakum	Texas	39	Lawyer	30		Democrat	De Witt, Goliad.
97	Greenwood, Jas	Seguin	Mississippi	50	Lawyer	46	23th	Democrat	Guadalupe.
36	Greer, R. A.	Beaumont	Mississippi	46	Lawyer	26	23rd and 24th Senate.	Democrat	Hardin, Jefferson, Chambers, Tyler, Liberty, Orange.
37	Griggs, G. B.	Houston	Georgia	38	Lawyer	10		Democrat	Harris.
14	Grisman, J. N.	McKinney	Texas	31	Lawyer	43		Democrat	Collin.
33	Hamilton, A. D.	Hempfl.	Texas	43	Lawyer	43	23th	Democrat	Sabine, Shelby.
8	Hardison, J. L.	Collinsville	Arkansas	46	Merchant	17		Democrat	Grayson.
106	Hawkins, A. S.	Midland	Texas	33	Lawyer, stockman	33	23rd.	Democrat	Reeves, Loving, Winkler, Ward, Crane, Upson, Ector, Midland, Glasscock, Andrews, Martin, Howard, Mitchell, Nolan, Fisher, Scurry, Borden, Dawson, Gaines, Yoakum, Terry, Lynn, Garza, Kent, Stonewall, Haskell, Crosby, Lubbock, Hockley, Cochran.
68	Hemphill, J. B.	Avalon	Mississippi	42	Lawyer	22		Democrat	Ellis.
52	Henderson, Elam	Athens	Texas	28	Teacher, farmer	28		Democrat	Navarro, Henderson.
6	Henderson, Travis	Paris	Alabama	60	Farmer	44	18th, 19th, 23rd	Democrat	Lamar.
28	Hendrick, S. J.	Henderson	Texas	53	Lawyer	53	24th and 25th	Democrat	Rusk.

48 Heslep, J. R.	Caldwell.	Texas.	34	Lawyer	24	Democrat	Burleson, Lee, Washington.
12 Hill, E. F.	Denton.	West Virginia.	27	Lawyer	24	Democrat	Denton.
78 Hogsett, J. Y.	Ft. Worth.	Tennessee.	57	Lawyer	24	Democrat	Tarrant.
105 Houts, J. C.	Jacksboro.	Missouri.	37	Lawyer	26	Democrat	Clay, Jack.
2 Hurt, J. W.	Bloomberg.	South Carolina.	58	Farmer.	30	Democrat	Cass.
52 Jones, J. S.	Bastrop.	Texas.	25	Lawyer	25	Democrat	Bastrop.
37 Kennedy, John.	Houston.	Texas.	48	Lawyer	25	Democrat	Harris.
60 Kennedy, A. M.	Mexia.	Alabama.	34	Journalist.	25	Democrat	Limestone.
98 Kyle, Perry.	Kyle.	Mississippi.	66	Farmer.	30	Democrat	Bianco, Gillespie, Hays, Comal.
45 Lane, C. E.	La Grange.	Texas.	45	Lawyer	35	Democrat	Fayette.
80 Little, J. L.	San Antonio.	Alabama.	27	Lawyer	23	Democrat	Bezar.
73 Lively, M. T.	Dallas.	Texas.	30	Lawyer	23	Democrat	Dallas.
56 Looney, F. B.	Oakwood.	Kentucky.	63	Lawyer	36	Democrat	Madison, Leon.
23 Marsh, W. H.	Tyler.	Texas.	49	Farmer.	28	Democrat	Smith.
62 McAnally, O. F.	Cameron.	Texas.	43	Journalist.	43	Democrat	Millam.
108 McCall, D. A.	Austin.	Texas.	54	Retired merchant.	24	Democrat	Brown, Coleman.
93 McLonis, H. R.	Llano.	Tennessee.	30	Lawyer	24	Democrat	Travis.
46 McKnight, G. W.	Wharton.	Texas.	57	Lawyer	15	Democrat	Llano, Mason.
39 McMeans, S. A.	Palestine.	Texas.	37	Newspaperman.	37	Democrat	Wharton, Lavaca, Colorado, Gonzales.
35 Meese, T. F.	Fayetteville.	Tennessee.	60	Lawyer	42	Democrat	Anderson.
45 Melton, Max.	Austin.	Germany.	56	Farmer, lawyer.	44	Democrat	San Jacinto, Polk.
79 Moran, H. S.	Weatherford.	Missouri.	54	Lawyer	51	Democrat	Fayette.
38 Morris, A. W.	Montgomery.	West Virginia.	50	Lawyer	41	Democrat	Travis.
16 Morrow, Nestor.	Kaufman.	Texas.	50	Farmer, stockman.	26	Democrat	Parker.
98 Moursund, A. H.	Fredericksburg.	Texas.	50	Lawyer	25	Democrat	Trinity, Montgomery, Walker.
17 Mulkey, O. C.	Commerce.	Texas.	30	Lawyer	50	Democrat	Kaufman.
80 Mung, E. D.	Neri.	Tennessee.	33	Teacher.	51	Democrat	Bianco, Hays, Gillespie, Comal.
88 Murray, W. O.	Floresville.	Texas.	43	Merchant, stockman.	33	Democrat	Bunt, Kaufman.
9 Murrell, J. C.	Gainesville.	Missouri.	44	Farmer.	41	Democrat	Parker, Tarrant, Hood.
30 Napier, T. H.	Winnboro.	Texas.	29	Editor.	43	Democrat	Live Oak, Wilson, Karnes, Atascosa.
66 Nelf, Pat M.	Waco.	Texas.	29	Editor.	29	Democrat	Coake.
86 Nicholson, J. O.	Laredo.	Texas.	28	Lawyer	23	Democrat	Wood, Raines.
39 Nolan, T. H.	Galveston.	Illinois.	51	Lawyer	23	Democrat	McLennan.
92 Nowlin, H. M.	Center Point.	Ireland.	45	Mechanic	30	Democrat	Webb.
99 Palmer, Ben.	Stephensville.	Texas.	40	Farmer, stockraiser.	25	Democrat	Galveston.
83 Parlsb, S. W.	Calvert.	Alabama.	38	Farmer, stockman.	20	Ind. Rep.	Kerr, Kendall, Bandera.
31 Perkins, J. I.	Rusk.	Texas.	29	Merchant, stockman.	20	Democrat	Erath.
40 Perry, E. L.	Velasco.	Texas.	53	Lawyer, farmer.	25	Democrat	Robertson.
53 Phillips, D. W.	Lampasas.	North Carolina.	35	Real estate broker.	35	Democrat	Anderson, Cherokee, Houston, Angelina.
36 Pickett, Jr., E. B.	Liberty.	Texas.	51	Real estate, stock-broker.	24	Democrat	Brazoria, Matagorda.
15 Pierson, Wm.	Greenville.	Texas.	25	Lawyer.	25	Democrat	Lampasas, Burnet.
76 Poole, T. C.	Walnut Springs.	Texas.	29	Physician.	25	Democrat	Hardin, Liberty, Orange, Tyler, Chambers, Jefferson.
49 Porter, E. T.	Hix.	South Carolina.	68	Lawyer.	31	Democrat	Hunt.
22 Ragland, B. A.	Pittsburg.	Texas.	31	Editor.	29	Democrat	Bosque, Hamilton.
7 Ridling, W. W.	Bonham.	Texas.	26	Farmer.	26	Democrat	Burleson, Lee.
5 Rouch, L. B.	Mt. Pleasant.	Tennessee.	40	Farmer.	21	Democrat	Upshur, Camp.
						Democrat	Faannin, Died, January 19, 1901.
						Democrat	Morris, Titus, Red River.

## MEMBERS OF THE HOUSE OF REPRESENTATIVES OF THE TWENTY-SEVENTH LEGISLATURE—continued.

No. District.	Name.	Postoffice.	Nativity.	Age.	Occupation.	Years in Texas.	Member of former Legislatures.	Politics.	Counties composing District.
22	Robertson, W. M.	Marshall	South Carolina.	50	Farmer.	35	26th	Democrat	Harrison, Gregg.
71	Robertson, W. F.	Georgetown	Tennessee	41	Lawyer.	17	54	Democrat	Williamson.
60	Rodriguez, T. A.	San Antonio.	Mexico.	60	Farmer.	54	17th and 23rd.	Democrat	Beaumont, Karnes, Live Oak, Atascosa, Wilson.
10	Rowland, J. T.	Nocona.	Missouri.	67	Farmer.	45	23rd and 26th.	Democrat	Montague.
85	Russell, Wm. J.	Brownsville	Texas.	35	Lawyer.	45	23rd and 26th.	Democrat	Cameron, Hidalgo, Starr, Zapata.
57	Satterwhite, Lee.	Wortham	Arkansas.	35	Editor.	16	26th	Democrat	Freestone.
3	Schluter, L. S.	Jefferson	Texas.	50	Lawyer.	30	26th	Democrat	Bowie, Chiss, Marlon.
85	Seabury, F. W.	Rio Grande.	Virginia.	33	Lawyer.	10	24th and 25th.	Democrat	Hidalgo, Cameron, Zapata, Starr.
44	Searcy, O. C.	Hallettsville	Tennessee	62	Farmer.	46	26th	Democrat	Bellevue.
65	Shannon, W. T.	Bellton.	Texas.	45	Lawyer.	45	26th	Democrat	Dallas.
76	Shaw, W. A.	Dallas.	Arkansas.	54	Journalist.	45	26th	Democrat	Collin.
14	Smith, Jno. R.	Farmersville	North Carolina.	46	Farmer.	24	26th	Democrat	Delta, Hopkins, Franklin.
19	Stell, A. T.	Cooper	Texas.	24	Lawyer.	25	26th	Democrat	Tarrant.
78	Stewart, C. E.	Grapevine	Texas.	40	Farmer.	24	26th	Democrat	Hill, Hamilton, Bosque, Somervell.
77	Stollenwerck, J. W.	Hillsboro.	Alabama.	30	Lawyer.	40	26th	Democrat	Wise.
73	Strother, J. S.	Garland	Alabama.	32	Editor and publisher	35	26th	Democrat	Dallas.
11	Talbot, Gayle.	Sidell.	Texas.	32	Farmer.	32	26th	Democrat	Galveston.
39	Tarpey, W. P.	Lamarque	Texas.	38	Farmer, teacher.	28	26th	Democrat	Cherokee.
28	Terrell, Geo. B.	Alto.	Texas.	38	Farmer, merchant.	38	26th	Democrat	McLennan.
66	Terrell, H. B.	West.	Texas.	31	Farmer, merchant.	31	26th	Democrat	Correll.
67	Tharp, Josh.	Turnersville.	Georgia.	31	Farmer.	21	26th	Democrat	Victoria, Refugio, Jackson, Bee, Calhoun.
83	Thurmond, G. M.	Victoria.	Texas.	27	Lawyer.	27	26th	Democrat	Colorado.
43	Tinkler, J. W.	Rock Island.	Texas.	55	Merchant, farmer.	55	26th	Democrat	El Paso, Presidio, Pecos, Kinney, Jeff Davis, Brewster, Val Verde, Maverick.
96	Van Sickle, W.	Alpine	Texas.	38	Lawyer.	38	26th	Democrat	Grayson.
8	Walker, A. W.	Van Alstyne.	Alabama.	33	Farmer.	13	26th	Democrat	Red River.
8	Wells, Thos. P.	Bells	Tennessee	27	Farmer.	23	26th	Democrat	San Patricio, Aransas, Duval, Nueces.
84	Wells, R. H.	Clarkville	Tennessee	43	Lawyer.	15	26th	Democrat	Hopkins.
17	Williams, John	Portland	Kentucky	40	Truck farmer.	11	26th	Democrat	Crockett.
94	Williams, R. R.	Cumby	Tennessee	61	Farmer, lawyer.	36	26th	Democrat	Sutton, Menard, Schell.
95	Willingham, C. H.	Ballinger	Texas.	43	Lawyer.	43	26th	Democrat	Kimble, Runnels, Coke, Sterling, Tom Green, Irion, Edwards.

**Officers of the Senate, Regular Session.**

Rev. I. S. Davenport, Hutto, Chaplain; J. P. Pool, Victoria, Secretary; W. B. O'Quinn, Lufkin, Assistant Secretary; M. L. Goodwin, El Paso, Journal Clerk; M. G. Sanders, Canton, Assistant Journal Clerk; Fount Ray, Waxahachie, Calendar Clerk; Frank P. Smith, Belton, Engrossing Clerk; W. M. Cobb, Hallettsville, Assistant Engrossing Clerk; John L. Stephenson, Abilene, Enrolling Clerk; Miss Mary de Zavala, San Antonio, Assistant Enrolling Clerk; C. H. Allen, Austin, Sergeant-at-Arms; D. F. Hughes, Mexia, Assistant Sergeant-at-Arms; John W. Dale, Bowie, Doorkeeper; Lucian Goss, Seymour, Assistant Doorkeeper; Miss Pauline Evans, Sulphur Springs, Postmistress; V. F. Pace, Dallas, Assistant Postmaster.

On the assembling of the First Called Session, August 6, 1901, Miss Mary de Zavala, who had been appointed to a position in the General Land Office, sent in her resignation as Assistant Enrolling Clerk of the Senate and Mrs. Laura Grinnan was elected to fill the vacancy.

At the Second Called Session J. P. Pool, having sent in his resignation as Secretary, W. B. O'Quinn was elected in his stead, and Clyde D. Smith, of Wichita county, Assistant Secretary.

**Officers of the House.**

Rev. J. W. Gatlin, Emory, Chaplain; Lee J. Rountree, Georgetown, Chief Clerk; Tip Jones, Copeville, Sergeant-at-Arms; T. A. Hall, La-Grange, Assistant Sergeant-at-Arms; Mark Logan, Hamilton, Reading Clerk; J. J. Henderson, Paris, Assistant Reading Clerk; Marshall Burney, Amphion, Journal Clerk; J. L. Robinson, Taylor, Assistant Journal Clerk; Thos. Bruce, Oak Cliff, Calendar Clerk; J. E. McFarland, Jacksonville, Engrossing Clerk; S. P. Weisiger, Austin, Enrolling Clerk; J. R. Dunlop, Cuero, Doorkeeper; Milton Brown, Slidell, Assistant Doorkeeper; Mrs. S. M. Franklin, San Antonio, Postmistress; Mrs. J. A. Noble, Austin, Assistant Postmistress.

**A Shower of Orange Blossoms, and the "Melody of Bells, the Bells, the Golden Bells," the Day of Adjournment.**

The Second Called Session of the Twenty-seventh Legislature adjourned *sine die* to the chiming of wedding bells. The following, taken from the Journals, gives an account of the proceedings in connection with the event—the first of the kind in Texas legislative history:

"SENATE CHAMBER, September 11, 1901.

"Senators Neal and Potter introduced the following resolution:

"WHEREAS, It is currently reported that our honored brother, Senator D. McNeill Turner, is in the near future to pass from a single state to one of connubial bliss; and,

"WHEREAS, We, his brother members of the Senate, rejoice in his good fortune and wish him all success and happiness possible; therefore, be it

"Resolved, That we cordially invite our said esteemed brother to honor this body by arranging for his happy union to take place within the bar of the Senate Chamber.

"The resolution was read and, on motion of Senator Sebastian, was unanimously adopted by a rising vote."

"HALL OF THE HOUSE OF REPRESENTATIVES,

"September 13, 1901.

"Mr. Poole, by unanimous consent, offered the following resolution:

"WHEREAS, It is currently reported that our accomplished, highly esteemed, and much loved Postmistress, Mrs. S. M. Franklin, is soon to be led to the hymeneal altar by the distinguished Senator, Hon. D. McNeill Turner; and,

"WHEREAS, Members of the Twenty-seventh Legislature wish her all the happiness incident to such a blissful state—with health, long life and great prosperity; therefore, be it

"Resolved, That precedent be followed (provided it meets the approval of the lady) to have the ceremony performed at home, and we hereby extend a cordial invitation to them to have the happy union consummated within the bar of this House.

"The resolution was read a second time, and Mr. Boyd moved that it be adopted by a rising vote."

"The motion prevailed, and the resolution was adopted unanimously."

"HALL OF THE HOUSE OF REPRESENTATIVES,

"September 26, 1901.

"The following letter of thanks, presented by Mr. Callan, was read to the House:

"*Hon. R. E. Prince, Speaker, and the Members of the House of Representatives.*

"Your very kind and much appreciated invitation of recent date, wherein you tender the Hall of Representatives for my marriage ceremony, has been received. Permit me to thank you, not only collectively, but individually, for this additional testimonial of your regard and favor.

"Your invitation, extended, I feel sure, in a spirit of generous congratulation, I shall accept with a gladsome heart and a feeling of exultant gratification, and I will treasure this token of your esteem and favor throughout my future life as a sweet memento of the pleasant days we have spent together.

"To witness the ceremony, which will take place on the morning of Tuesday, October 1st, at 12 o'clock, I desire to extend a cordial invitation to each member of the House, and through the House of Representatives to the Senate, collectively and individually; to the members of the press, as well as to all officers and employes of both the House and Senate.

"Thanking you again for your kindness and thoughtful attention, I beg to gratefully subscribe myself,

"Gratefully yours,

"MRS. S. M. FRANKLIN."

The following Concurrent Senate Resolution, introduced by Senator Savage, was adopted by both houses:

"WHEREAS, It is the pleasure of the Legislature to accept an invitation to witness the ceremonies uniting in marriage the esteemed and worthy Senator, Hon. D. McNeill Turner, and his most estimable and accomplished companion, Mrs. S. M. Franklin, Postmistress of the House; and,

"WHEREAS, It is the sense of the members of each house to extend to them our best wishes and lasting regards by expressing the same in an orderly way; therefore, be it

"Resolved, by the Senate, the House of Representatives concurring, That a joint session of both houses be held on Tuesday at 12 o'clock for the purpose above named."

"HALL OF THE HOUSE OF REPRESENTATIVES,

"October 1, 1901, 11:55 a. m.

"The honorable Senate \* \* \* appeared at the bar of the House and, being duly announced, were admitted and escorted to seats provided for them. President Pro Tem. Stafford, on the part of the Senate, called the joint session to order. Mr. Schluter, who was occupying the chair at this time, called the joint session to order on the part of the House, and announced that the two houses were now in session for the purpose of witnessing the marriage ceremony of Senator D. McNeill Turner and Mrs. S. M. Franklin.

At high noon Senator Turner and Mrs. Franklin entered the hall. The groom, escorted by Lieutenant-Governor Browning, proceeded down the right aisle, and the bride, leaning on the arm of Speaker Prince, was escorted by way of the left aisle to the place directly in front of the Speaker's stand, where they met."

Rev. I. S. Davenport, Chaplain of the Senate, performed the marriage ceremony, at the conclusion of which Mr. and Mrs. Turner retired by the center aisle and the Senators repaired to their hall.

The bride and groom were the recipients of the congratulations of the members of the legislative body and hosts of other friends.

The local press and the leading papers of the State vied with each other in describing the event and expressing good wishes for bride and groom.

The bride was born at Goliad, Texas, and is a daughter of Capt. Geo. W. Meriwether, who was an officer in Gen. Tom Green's brigade in the war between the States, Representative of the Eighty-second District (of which Goliad county formed a part) in the House of the Eighteenth Legislature, and at the time of his death at Goliad, in 1885, a leading member of the Southwest Texas bar.

She is the first lady elected an officer of the Texas Legislature; discharged the duties of the position so admirably that a number of ladies have since been given elective and appointive positions by that body; and by her grace, beauty, intelligence and refinement effected a very perceptible improvement in the rather too uncourtly manners and unpolished diction of the House.

## LIBRARIES IN TEXAS.

U. S. Bureau of Education 1899-1900.

Town.	Name.	Year Founded.	No. Volumes.
Ablene.....	Simmons College Library.....	1892	3,963
Aivin.....	Public High School.....	1890	5,000
Austin.....	Institute for the Blind Library.....	1856	3,000
Austin.....	St. Edward's College Library.....	1881	4,115
Austin.....	State Library.....	1839	12,800
Austin.....	Supreme Court Library.....	1846	12,000
Austin.....	Tillotson College Library.....	1881	2,000
Austin.....	University of Texas Library.....	1884	34,000
Austin.....	Y. M. C. A. Library.....	1894	1,500
Belton.....	Baylor Female College Library.....	.....	1,500
Bowie.....	Public High School.....	.....	1,000
Brackettsville.....	Post Library, Fort Clark, Texas.....	.....	1,500
Brenham.....	Blinn Memorial College.....	.....	1,500
Brownwood.....	Howard Payne College Library.....	1890	2,000
Chappell Hill.....	Chapell Hill Female College.....	1852	1,000
Cleburne.....	Public High School.....	.....	1,300
College Station.....	Agricultural & Mechanical College.....	1876	3,000
Comanche.....	Comanche College.....	.....	1,300
Commerce.....	East Texas Normal College Library.....	1860	3,500
Corsicana.....	Public High School Library.....	.....	1,000
Dallas.....	Central Academy.....	1882	3,500
Dallas.....	Public Library.....	1900	5,000
El Paso.....	Public Library.....	1895	2,000
Ennis.....	J. C. Watkins Public School Library.....	1890	1,998
Ferris.....	Ferris Institute Library.....	1896	1,497
Ft. Worth.....	Carnegie Public Library.....	.....	10,000
Ft. Worth.....	Commercial Club.....	1885	3,600
Ft. Worth.....	Ft. Worth University.....	1881	4,000
Ft. Worth.....	Polytechnic College Library.....	1891	12,500
Galveston.....	Ball High School.....	1881	1,500
Galveston.....	Court of Civil Appeals.....	1893	5,000
Galveston.....	Public Library.....	1882	8,000
Galveston.....	St. Mary's University Library.....	.....	7,000
Galveston.....	Ursuline Academy.....	1847	2,000
Georgetown.....	Southwestern University.....	1873	3,500
Greenville.....	Burleson College.....	1896	1,000
Honey Grove.....	Wall School Library.....	1888	2,500
Houston.....	Houston Lyceum and Carnegie College.....	1856	7,416
Houston.....	Public High School.....	1889	1,500
Huntsville.....	Sam Houston Normal Institute.....	1879	9,000
Huntsville.....	State Prison Library.....	1880	3,000
Jasper.....	Southeast Texas Male and Female College.....	.....	1,000
Kingston.....	Calhoun College Library.....	1885	1,000
Laredo.....	Cattle Hogue Library.....	1883	1,000
Marshall.....	Bishop College Library.....	1881	2,700
Marshall.....	Wiley University Library.....	1873	3,500
Mexia.....	Public High School.....	.....	1,300
Mexia.....	Public School.....	.....	1,750
Omen.....	Sumner High School Library.....	1884	1,200
Paris.....	Female College.....	.....	1,800
Paris.....	Public High School.....	.....	1,000
San Antonio.....	Public Library.....	1892	6,000
San Antonio.....	St. Mary's College.....	1852	2,000
Savoy.....	Savoy College.....	.....	1,200
Sherman.....	Austin College Library.....	1849	6,000
Sherman.....	Mary Nash College Library.....	1877	3,000
Sherman.....	North Texas Female College.....	1879	1,000
Sherman.....	Public High School Library.....	1895	1,200
Tehuacana.....	Trinity University.....	.....	5,000
Temple.....	Public High School Library.....	1888	1,200
Victoria.....	Nazareth Academy.....	.....	2,000
Waco.....	Add-Ran University Library.....	.....	3,600
Waco.....	Baylor University.....	1850	5,000
Waco.....	Douglas Schuler School.....	.....	1,000
Waco.....	Paul Quinn College.....	1883	1,500
Waxahachie.....	Public High School.....	.....	2,000
Weatherford.....	Public School.....	1890	1,000
Weatherford.....	Weatherford College.....	1889	1,542
Whitewright.....	Grayson College.....	1886	4,000



## HENRY W. LIGHTFOOT.

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Hon. Henry W. Lightfoot died at Skaguay, Alaska, August 27, 1901. where he had gone on legal business. The remains were sent from Skaguay to Dallas, Texas, for interment.

Judge Lightfoot was born in Lawrence county, Alabama, December 29, 1846; joined when sixteen years of age the Eleventh Alabama Cavalry, C. S. A., and served until the close of the war; graduated from the Law Department of Cumberland University, Lebanon, Tennessee, in 1869; practiced in Lawrence county until January, 1872, and then moved to Sherman, Texas; formed a co-partnership with Gen. Sam Bell Maxey and moved to Paris, Texas, in June of that year; married November 3, 1874, Miss Dora Bell Maxey (an adopted daughter of General and Mrs. S. B. Maxey), who died in June, 1884, leaving two children (Sallie Lee and Thomas Chenoweth); was a delegate to the National Democratic Convention that nominated Tilden and Hendricks at St. Louis in 1876; was elected to the State Senate in 1880; resigned the position in 1882 to give his undivided attention to his law practice; was a delegate to the National Democratic Convention that nominated Cleveland and Thurman at St. Louis in 1888, and, having been selected by the Texas delegation for that honor, seconded the nomination of Mr. Cleveland in a short and appropriate speech; was elected President of the Texas Bar Association July 11, 1889; married December 5, 1889, Miss Etta J. Wooten, daughter of Dr. and Mrs. Thos. D. Wooten, of Austin, and has two children born of this union: Wooten and William H.; was appointed Chief Justice of the Court of Civil Appeals for the Fifth Supreme Judicial District, August 9, 1893, by Governor James S. Hogg; was elected to the position in 1894, and continued to fill it until October 1, 1897.

[See article on Courts of Civil Appeals. For proceedings in *memoriam*, see article entitled "Twenty-seventh Legislature."]

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## LITERATURE OF TEXAS, OUTLINE OF.

BY ADDISON CLARK, JR.

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The "Bibliography of Texas," by C. W. Raines, enumerates some six hundred writers who have treated, in one way or another, of Texas life and conditions. Of the many volumes accredited to these writers only a few can be properly classified as literature; the greater number are histories, biographies, and narratives of personal experience.

The earliest of these are in French and Spanish and record, with more or less truth, the adventures of the early Spanish and French explorers in Texas. Two are of sufficient importance to be included in an outline of Texas literature: The *Relacion* of Cabeza de Vaca, published at Zamora, in the year 1542; and the *Journal Historique* of M. Joutel, published at Paris, 1713. The former was the first published book about

Texas. It contains an account of the Narvaez Expedition, with a relation of the subsequent remarkable adventures of Cabeza de Vaca and three companions in their wanderings across Texas, from an island on the Gulf coast to the Rio Grande, and thence across Mexico to the Pacific coast. M. Joutel was one of La Salle's companions in his disastrous colonizing experiment, and the *Journal Historique* is the standard authority on the history of the French colony at Bay St. Louis, and the wanderings and tragic death of La Salle.

In 1819 was published an odd little volume entitled "L'Heroine du Texas." It is the first Texas novel, the scene being laid at Camp Asylum on the Trinity river.

The first book published in English in Texas was "A Translation of Laws, Ordinances, and Contracts on Colonization," by Stephen F. Austin, San Felipe, 1829. It was followed in 1832 by a work somewhat similar entitled "Texas and Coahuila," by Chas. Edwards. In 1833 appeared the first History of Texas, "Texas: Observations, Historical, Geographical and Descriptive," by Mary Austin Holley, told in a series of letters to her friends. The following year was published David B. Edward's "History of Texas."

In this period before the Revolution may be mentioned also several books by that interesting character—humorist, raconteur, poet and intrepid fighter—David Crockett. (1) "Narrative of the Life of David Crockett of Tennessee," 1834, written before he became a Texan. (2) "Life of Martin Van Buren," 1835. (3) "Account of Colonel Crockett's Tour Through the East and North," full of incident and humor. (4) "Colonel Crockett's Adventures and Exploits in Texas." (5) "Leisure Hour Musings in Rhyme."

During the brief life of the Republic appeared a number of volumes which, though not properly literature, on account of the stirring events they recount, have all the charm of romance. Among these may be mentioned "The Mexia Expedition Against Tampico," by Geo. Fisher, 1840; "Journal of the Mier Expedition," Thos. J. Green, 1845, a most vivid and realistic narrative of personal experience; "The Prisoners of Perote," another account of the Mier Expedition, by W. Preston Stapp, 1844; "Narrative of the Santa Fe Expedition," 2 vols., 1845, by Geo. W. Kendall, very interesting and of great value historically. In this period were published two histories of Texas: "Texas and the Texans," by Henry Stuart Foote, 1841; and "A History of Texas," by William Kennedy, 1841. The latter writer was British consul at Galveston, and his history was so favorably considered that the Texan Congress extended him a vote of thanks.

N. Doran Maillard: The "History of the Republic of Texas," London, 1842. The author was an Englishman, and not free from prejudice. The chief value of the book lies in the many official documents it contains.

Of a more literary intent was A. T. Myrthe's "Letinez de Ambrosio, or First Texian Novel," 2 vols., 1842. It was not, however, the first novel of Texas life by some twenty years. "The Cabin Book, or National Characteristics," by Chas. Sealsfield (Chas. Postel), 1844, is an account of incidents and events in Texas during the Revolution. It was widely read at the time of its appearance and went through several editions.

From the mass of writing which has appeared since the beginning of

the commonwealth it is possible to separate a tolerable quantity which is deserving of attention. This we may consider under several heads:

### I. POETRY.

We have had no poet of first class, but we have had many writers of verse, some of whose efforts are by no means contemptible. We have three volumes of selected poems. Allan's "Lone Star Ballads" is a collection of Southern war songs, published first in pamphlet form during the war. Its verses are more commendable for their energetic and stirring measures than for their poetic worth. They are now only of reminiscent or historical interest. A more valuable anthology is Dixon's "Poets and Poetry of Texas," 1883. It contains examples of the best work of the verse writers of Texas, with some account of their lives. The author is by no means a critic, and is quite too lavish in bestowing his praises; but for all this he has done a good work in preserving these early artistic strivings, which might otherwise have been lost. A third collection, edited by Ella Hutchins Steuart, is entitled "Gems From A Texas Quarry." It contains contributions in prose and verse offered by a number of Texas writers for the World's Industrial Exposition at New Orleans, 1884-85. Of the poems therein contained, four at least are worthy of comment: "A Daughter of Mendoza," by Mirabeau B. Lamar; and the three companion poems each entitled "What The Sea Said," by Mollie E. Moore, Fannie A. D. Darden, and Mrs. M. J. Young. Miss Moore strikes a genuine poetic note, and sings on with a quiet music that is uncommonly sweet.

Mollie E. Moore (now Mrs. M. E. M. Davis) has issued a volume of poems which has passed through several editions. Since 1876 she has been a resident of Louisiana, and has gained a considerable reputation by her stories and sketches of Southern life.

Another Texas writer who has become known through his verses is William Lawrence Chittenden, "The Cowboy Poet." His volume of "Ranch Verses" is a real contribution to our national poetry. "Remember the Alamo," "The Cowboy's Ball," "A Farmer's Songs," and "A Village Fable," are among his best efforts. They smack of the soil, the prairie, the boisterous life and freedom of the range; and while they lack the graces of elevated tone and fine artistic touch, they lilt along with a certain noisy native melody that is very pleasing.

Other volumes of verse which are worth mentioning are Mrs Lee C. Hardy's "Poems," Mirabeau B. Lamar's "Verse Memorials," Ida V. Jarvis's "Texas Poems," W. T. G. Weaver's "Hours of Amusement," Belle Hunt Shortridge's "Lone Star Lights," and Fannie L. Loughery's "Pleasant Thoughts," a booklet of excellent lyric and other poems sweetly sung.

### II. FICTION.

A vast deal of fiction has been written dealing with Texas life and subjects. Much of this, however, has been written at long range, by writers who had no experience or accurate information of our local conditions, and hence is marred by extravagance and untruthfulness. And of the few Texas writers who have essayed this form of literature, not many

have achieved any great success, and hardly one has succeeded in reflecting in any adequate degree our local life. But out of the number it is possible to select a dozen or more whose efforts, for one reason or another, are commendable:

1. Sam A. Hammett (pseudonym Phil Paxton) author of three works of a light, humorous character, viz.: "A Stray Yankee in Texas," 1853; "The Wonderful Adventures of Captain Priest," 1856; and "Piney Woods Tavern, or Sam Slick in Texas," 1858.

2. A. W. Arrington: "Rangers and Regulators of the Tenehaw," 1856, an exciting tale, told in a florid, oratorical style.

3. G. W. Webber: "Tales of the Southern Border," a collection of thrilling stories bordering on the penny dreadful.

4. Augusta Evans (later Mrs. Wilson): "Inez, a Tale of the Alamo," 1855; one of the early works of this writer, and by no means equal to her best.

5. Amelia Barr: "Remember the Alamo," 1888; the author, an English lady, resided in Texas from 1854 to 1869; the story is interesting to a degree, but is tawdry and sensational, and further marred by historical errors.

6. Rev. William Baker: A voluminous writer of moral and religious stories and didactic works.

7. Alex F. Sweet and Armory J. Knox, associated as originators of "The Texas Siftings." This unique humorous publication sprang at once into wide popularity; but unfortunately its editors were induced to remove it to New York, where it soon lost its local flavor, and speedily died. From it we have left two collections of stories and sketches, which with a third volume by the same authors, entitled "On a Mexican Mustang Through Texas from the Gulf to the Rio Grande," comprise the most genuinely Texan literature that has appeared.

8. Mrs. Lee C. Harby, a writer of clever short stories and sketches; her writings have appeared in the best magazines of the country.

9. Julia Truit Bishop, also known through her serials and short stories in the magazines.

10. Mrs. M. E. M. Davis, author of "In War Time at La Rose Blanche," "Under the Man Fig," and numerous serials and short stories. She is now one of the leading literary women of Louisiana.

11. Kate Alma Orgain, who has lately become known as a writer of clever short stories.

12. B. K. Benson: "Who Goes There?" and "A Friend with the Countersign." These are among the books that have appeared within the last few years; they have not been "pot-boilers," but have been very favorably received.

In a class quite by himself stands William Cooper Brann, formerly of "Brann's Iconoclast." Since his death his writings, good and bad alike, have been brought together into two volumes under the general title "Brann, the Iconoclast." The estimates of his character and the merit of his work have been so various that it is hardly wise yet to venture a final judgment.

Mrs. Fanny C. Gooch (now Mrs. Iglehart) has written a book entitled "Face to Face with the Mexicans," which deserves mention. It is an interesting series of pictures of the manners and customs, domestic, social, and educational of the Mexicans, written by one who has known

them at first hand, and who is able to enter into sympathy with their institutions and life.

### III. TEXAS HISTORY.

1. One of the earliest histories of Texas, and still the best for the period it covers, is that of Henderson Yoakum. It was written from the best sources of information at that time (1856) available; and with a few notable exceptions its judgments are fair and its statements reliable. A new edition, two volumes, revised and annotated, with several additional chapters bringing the history down to the present time, has been published by W. G. Scarf, Dallas.

2. H. H. Bancroft: "North Mexican States and Texas," two volumes, 1884. This is the first history of Texas written from first-hand investigation. It has little to recommend it as a piece of literature, but its statements of facts are trustworthy, and it is invaluable for the light it throws on the bibliography of early Texas history.

3. John Henry Brown: "History of Texas," two volumes. It is written largely from the author's personal experience. He was an actor in much of the history that he relates, and speaks with the authority of an eye-witness. His history, however, lacks the fairness of judgment and accuracy of detail which would characterize the work of a trained historian. An abridged edition for the use of schools has been prepared by Mrs. Mary M. Brown, Dallas, and another by J. M. Fendley, Galveston.

4. Mrs. Anna J. H. Pennybacker: "A History of Texas, for Schools." This is much the best school history we have; its style is picturesque, literary, and very readable, and the author is inspired with a genuine enthusiasm for her subject. But, like most of the histories of Texas, it was written from secondary sources, hence is not free from errors of fact and mistakes of judgment.

### IV. SCHOLARSHIP.

The following writers deserve mention for having each contributed to some department of scholarship:

1. Dr. Joseph Baldwin, author of "The Art of School Management," "Elementary Psychology and Education," and "Psychology Applied to the Art of Teaching."

2. Dr. George Bruce Halsted: "Metrical Geometry," Elements of Geometry, "Synthetic Geometry," and various translations of foreign works, and articles in the scientific journals.

3. C. W. Hutson: "Beginnings of Civilization" and "A History of French literature."

4. Alex. MacFarlane: "Physical Arithmetic," "Principles of the Algebra of Logic," and "Elementary Mathematical Tables."

5. C. W. Raines: "Bibliography of Texas," and "Life of Santa Anna."

6. Dr. George P. Garrison, "Civil Government of Texas."

7. Oscar H. Cooper, H. F. Estill, and Leonard Lemmon, joint authors of "History of Our Country," a text-book of United States history for schools.

## TEXAS NEWSPAPERS AND PERIODICALS.

In the year 1901 there were 842 papers published in the State. Of these 83 were daily, 12 semi-weekly, 694 weekly, 9 semi-monthly, 42 monthly, 2 quarterly. The following may be mentioned as having a more distinct literary or educational purpose: *The University Record* (quarterly), issued by the Faculty of the University of Texas; *The Quarterly of the Texas Historical Association*; *The University of Texas Magazine*, edited and published by the students of the State University; *The Texas School Journal*, Austin; *The Bohemian*, Fort Worth, a literary monthly; *Lee's Texas Magazine*, Dallas, a literary monthly; *The Texas Sandwich*, Dallas, a humorous weekly; *Beau Monde*, Dallas, a society weekly; *The Opera Glass*, Galveston, a weekly devoted to interests of society; *Literary Life*, Dallas, monthly; *Youth's Southland*, Waco, a juvenile monthly.

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LIVE STOCK SANITARY COMMISSION.

M. M. Hankins, Quanah, Chairman; R. J. Kleberg, Corpus Christi; and W. J. Moore, San Antonio. Salary, \$5 each per day, and traveling and other expenses while actually engaged in the discharge of their duties. Total appropriation for the Commission for the six months ending August 31, 1901, \$1,035; and for the two years ending August 31, 1903, \$12,000.

The Live Stock Sanitary Commission was created by an act of the Twenty-third Legislature, approved April 20, 1893. The act appropriated \$20,000 (or as much thereof as might be necessary) for carrying its provisions into effect. Its concluding section was as follows: "Sec. 18. Whereas there is now no existing live stock quarantine law in the State of Texas, and whereas the people of this State engaged in the honorable occupation of raising live stock are now subject to harsh and severe quarantine laws and regulations which greatly depreciate the value of live stock in this State, creates an emergency \* \* \* requiring that the rule requiring bills to be read on three several days in each House be suspended, and it is hereby suspended," and the act went into effect immediately upon its approval by the Governor.

The Commissioners are appointed by the Governor (one from the western, one from the southern and one from the eastern portion of the State) and confirmed by the Senate, and give bond in the sum of \$10,000 each for the faithful discharge of their duties. To be eligible to appointment they must be stock raisers in the State for five years before appointment.

The following from Title CII, Chapter 7, of the Revised Civil Statutes of 1895 are the principal provisions of the law governing the Commission: "It shall be the duty of the Commission \* \* \* to protect the domestic animals of this State from all contagious or infectious diseases of a malignant character, whether said diseases exist in Texas

or elsewhere; and for this purpose they are hereby authorized \* \* \* to establish \* \* \* such quarantine lines and sanitary rules and regulations as they may deem necessary. It shall also be the duty of said Commission to co-operate with live stock quarantine Commissioners and officers of other States and territories, and with the United States Secretary of Agriculture in establishing such interstate quarantine lines, rules and regulations as shall best protect the live-stock industry of this State, against Texas, or splenetic fever. \* \* \* The Commissioners shall have power to call upon any sheriff, deputy sheriff, or constable to execute their orders. \* \* \*

The following is a list of those who have served as members of the Commission: Robert J. Kleberg, Corpus Christi; T. J. Martin, Midland, and W. J. Moore, Galveston, appointed May 20, 1893; R. J. Kleberg, F. J. Hall (of Cooke county), and W. J. Moore, appointed January 17, 1895; W. B. Tullis, Quanah, appointed September 17, 1895, vice F. J. Hall, resigned; W. J. Moore, R. J. Kleberg, and W. B. Tullis, appointed February 8, 1897; R. J. Kleberg, W. B. Tullis, and W. J. Moore, appointed April 11, 1899; M. M. Hankins, appointed April 4, 1900, vice W. B. Tullis, deceased; M. M. Hankins, R. J. Kleberg, and W. J. Moore (now residing at San Antonio), appointed January 22, 1901. Mr. Kleberg was for years chairman of the Commission.

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## LLANO ESTACADO, THE PECULIARITIES OF THE.

BY MRS. FANNIE GJOCH INGLEHART.

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If man had been put down upon this North American continent æons and æons ago, when it first rose out of the sea, he would not have known it as the place which is now the home of teeming millions. Where we now travel from the Atlantic to the Pacific, from the Gulf of Mexico to untold limits in the North, he would have needed to take passage on an ocean greyhound. The voyage might have been intercepted by long and rocky islands now the tops of great mountains, and he, too, would have passed a few scattered islands as those in the Pacific group, but otherwise the course would have been upon a sea wide and boundless without a sign upon the horizon.

The key which the geologists have for unlocking the secrets and locating the beginnings of the continent was obtained from the sea itself, and among the first places which stood above the water was a large strip in the borders of Hudson's Bay, a smaller tract in the area of the Grand Cañons of Arizona an uplift in the region of the Ozark Mountains in Missouri, and the Llanos of Texas.

In a journey through the Panhandle and the Llano Estacado, which has been denominated as one of the interestingly high points upon which the continent maintained a struggle for existence, it may not be amiss to give some data and personal notes upon this interesting section. Llano Estacado (Staked Plain), once known as the Great American Desert, but since the sea rolled back and left the earth, by due process

of growth and expansion the desert is no longer a desert and the plains under the husbandry of man have blossomed into a rich fruitfulness.

The Llano Estacado is one of the largest table-lands on this continent, and stretches down from the Rocky Mountains across one corner of New Mexico and extends for about two hundred miles in either direction on the northwestern extremity of Texas.

But little doubt exists that the remnant of the expedition sent out by order of the king of Spain under Pamfilo Narvaez, 1535-36, the first Spanish explorers whose names were Alvar Nuñez, Cabeza de Vaca, Andres Durantes, Alonzo Castillo, and a Barbary negro, Estevanico. (Little Stephen) who were fugitives from the Texan gulf coast to the Spanish settlements in New Spain were the first overland travelers to explore this region and that they crossed Red River and made their way over the Staked Plains, thence across the Canadian river and westward down the Gila and finally reached Culiacan on the Pacific coast.

From whence originates the name Llano Estacado—Llano (plain) Estacado (stake)—we have no definite knowledge. Some early writers and travelers believe it to have been given because of the yucca stems which resemble stakes, but as they do not grow on the plains proper, but flourish farther west, this could not have been true. Others, yet, believe that the Indians not knowing the uses of chart or compass, as a guide in their wanderings drove down at regular intervals a stake on which they placed a buffalo head, by this means a safe and sure guide was given to the water holes which they had found. But as the high escarpments of the plateau resemble palisades it is possible the Spaniards used the name in that sense. From whatever source the origin, the name has survived in all literature upon that subject and no other name can ever be substituted.

In its geographical and topographical formation this remarkable area has been compared with the territory lying between the Euphrates and the Levant, and which was the highway of communication between Mesopotamia and the Mediterranean coast, and in which were Palmyra, Damascus and other ancient cities. During the excitement in California over the discovery of gold this then vast desert was the highway over which thousands of eager seekers after "filthy lucre" in white topped wagons, on horseback, and on foot made their way, and the glistening bones of both man and beast in after years told the woeful tale of their hardship and suffering. Water was near at hand had they but had the acumen of more recent travelers who, by digging pits in sandy depressions, have found nature's delicious beverage in abundance.

The Panhandle of Texas embraces the region west of the 100th meridian of longitude and north of the 32nd parallel of latitude. El Llano Estacado, or the Staked Plain, lies in the western part of the Panhandle, extending some distance into the Territory of New Mexico.

Its approximate area is 40,000 square miles, attaining in places a maximum elevation of 4000 feet above the level of the sea. The climate is dry, bracing and continental in character.

The topography of the Staked Plains demonstrates two remarkable features, each differing from the other, yet possessing much uniformity in character. The one known as the elevated tableland and the other the more diversified plain surrounding it on three sides and running out into an undulating plain with fine grasses, indented by numerous rises and



depressions, reminding one of the great seas when settling after a wild, tumultuous storm. Far back amongst the great plains are very many wide and fertile valleys, which are hemmed in by rocky bluffs or cañons. The great cattle king, Charles Goodnight, owns the cañon of his name, and it includes an area from ten to twenty miles in width and extends more than sixty miles into the plain.

According to Prof. Dumble, former State Geologist of Texas, the Llano Estacado was in the late Tertiary period an inland sea. Since his report the location of part of the old sea or lake has been made. Artesian water can be obtained at certain localities on the plains. The three principal rivers of Texas, viz., Colorado, Brazos and Red River, have their sources in the Llano Estacado, some of their branches running from one to two hundred miles in opposite directions. A line of precipitous bluffs runs in a zigzag direction across the plains and upon these are trees of scraggly growth. This formation was named by the Mexicans who accompanied Gen. Albert Pike in his expedition, *las Cejas* or the eyebrows. A casual glance from a distance confirms this impression.

These plains, with their wide covering of pampas and other grasses, have been compared to the Steppes of Hungary without the moisture. In some places awful abysses looking to be thousands of feet across are encountered, and jagged protuberances, vast and rugged, look as if they had been taken up by the hand of nature and there thrown down convulsively across the plains. They vary in height from perhaps thirty to one hundred and fifty feet, often more, above the plain below and assume in the distance the appearance of a row of flat topped mountains.

While the plains are practically barren of trees and water, nature has made provision in her own way in providing basins and deep depressions in which water collects during the rainy season and remains for months and often extends thirty feet below the surrounding level, their sides being, apparently for convenience sake, a gentle slope. It would seem that these lakes might be converted into permanent reservoirs, thus solving to some extent the serious problem of water supply; but a new difficulty at once presents itself in the fact the beds below the present bottom might not be impervious, and in that event, the water would be drained off instead of being retained. These lakes often cover several hundred acres and contain both salt and fresh water, and while in the main the effort to secure flowing artesian wells has proved ineffectual, wells for domestic purposes are to be found by digging anywhere at from twenty to fifty feet. The greatest rainfall is at the time of growing crops, and twelve inches of water in addition to the annual rainfall would be sufficient for the driest years.

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## R. M. LOVE, COMPTROLLER OF PUBLIC ACCOUNTS.

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R. M. Love, Comptroller of Public Accounts, was born January 11, 1847, in Franklin, Robertson county, Texas. His parents, James M. and Mrs. Theresa A. (Bradon) Love, were born and reared in Madison county, Tennessee (of which county his father was sheriff for a number of years), and removed therefrom to Robertson county, Texas, in 1836,

and later located at Tehuacana, Limestone county, where they resided until their decease.

R. M. Love enlisted in 1862 as a Confederate volunteer in Company G, Sixth Texas Cavalry, Ross's Brigade, with which he served until the close of the war between the States, participating in the numerous battles fought by the Army of Tennessee.

After the surrender he engaged in farming and stock-raising, which he has since continued. He was elected sheriff of Limestone county in 1884 and re-elected in 1886, 1888 and 1890; was president of the Texas Sheriffs' Association from 1886 to 1894; was United States Marshal of the Northern District of Texas from 1894 to 1898; and in 1900 was nominated by the State Democratic Convention and elected by the people to the office of Comptroller. He was married to Miss Lucy Morgan, daughter of the late Dr. J. T. Morgan, at Moscow, Ky., January 12, 1870, and has seven children, two of whom are married. He is a member of the Cumberland Presbyterian Church and Masonic fraternity.

It is a prevalent opinion that the principal, and practically the only, duty performed by the Comptroller is to draw warrants on the Treasurer in favor of various departments, institutions and individuals for stated sums. This opinion strikes very wide of the mark. The drawing of such warrants is merely the last and relatively least important act in a long chain of work. Every account against the State has first to be examined in detail and audited—taking in the entire range of county, district and State officials—before it is ordered paid and a warrant issued. Not a dollar can be paid into, or drawn from, the treasury except on the Comptroller's warrant. He is required to give a heavy bond. He is expected to make no mistakes. To properly fill such an office requires business sagacity of a high order. That Mr. Love has discharged the duties of the position so far without committing an error is, his supporters for re-nomination and re-election say, more convincingly demonstrative of his fitness for the place than would be any amount of mere panegyric expended upon his previous record and excellent personal qualities.

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## F. R. LUBBOCK.

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On the occasion of the eighty-sixth birthday of ex-Gov. F. R. Lubbock, October 15, 1901, the members of William B. Travis Chapter No. 3, Daughters of the Republic of Texas, met at the Morris House, in Austin, at 4:30 p. m., and at 5 p. m. proceeded in a body to Gov. Lubbock's residence, 1412 Congress Avenue, where they presented him a handsome and suitably engraved gold-headed cane as a testimonial of their esteem. The presentation address was delivered by Hon. W. L. Prather, President of the University of Texas. Miss Schaeffer read a pretty and appropriate poem, written by her as a special tribute. Gov. Lubbock responded in a short speech, couched in language and delivered with a spirit that showed plainly that while the snows of more than four score years had descended upon and silvered his still abundant locks (silvery locks that make his clear and ruddy complexion seem all the more youthful) his heart was

still young and his mind clear and vigorous as of yore. Gov. Lubbock entertained his guests at this impromptu reception with genial hospitality, and the event was a most pleasant one to all the participants. Among those present were Judge Z. T. Fulmore and Judge C. W. Raines.

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## LUMBER INDUSTRY IN TEXAS.

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Alexander Gilmer, a leading lumber manufacturer at Orange, Texas, had Mr. Jerome Swinford prepare the following for Hon. Carl F. Drake, of Austin, who has kindly, by request, furnished it to the YEAR BOOK FOR TEXAS:

"The first machinery that was used in Southeast Texas for the manufacture of lumber was introduced by Robert E. Boothe at the head of Adams's Bayou, six miles northwest of Orange, in 1836, a few months before the battle of San Jacinto. In fact, construction was interfered with by a messenger from the West who came with an appeal for men to help against Santa Anna. The men threw down their tools, shouldered their old flint-lock rifles, and started for the front. After the army was disbanded, they returned, and before winter set in, a dam had been completed and a sash saw had cut several thousand feet. This mill, when well stocked with logs and pushed, could cut 1500 feet of lumber a day, but it was never operated long at a time. The demand for lumber was irregular and it was not profitable as a commercial venture. In 1847 it was abandoned, but the spot where it stood is clearly marked yet by the old cypress piling that served as supports for the frame work.

"The first steam saw mill was erected at Turner's Ferry by Payne & Bendy in 1841. They bought the boilers and engine out of an old steamboat that was wrecked near Belgrade, brought it down the Sabine river, and set up machinery that ran a sash saw. The cost of getting the mill to going bankrupted the parties, and in 1842 they closed out to Joe Brohn, a German, then doing business at the Shellbank. Brohn had grown rich in the mercantile business, but he knew absolutely nothing about steam mills and he was glad to let go when Robert Jackson came along in 1844 and offered him \$3,500 for the plant. Jackson was a hard-working man and sawed an average of 3000 feet a day on his mill. In the spring of 1847 an overflow, the like of which had never been seen here, came and swept away about 100,000 feet of cypress lumber. Fearing another great freshet he tore down his mill and moved it to this place (Orange), then known as Green's Bluff, and rebuilt it. In the spring of 1848 he was ready to commence sawing again. This was the first mill that used steam to saw lumber at Orange.

"John Merriman and William Smith came to this place early in 1850 and put up a steam saw mill. They started with a sash saw, and two years later introduced a circular. The two mills managed to turn out 8000 feet a day. Merriman and Smith added machinery for cutting out spokes, felloes and hubs.

"William Hewson built a mill at the mouth of Adams's Bayou in 1852, and with two boilers and a strong engine he cut 8000 feet a day.

"Woods & Brazee erected a mill here in 1857, of about the same capacity. These mills were all outclassed by mills that came in directly after the war.

"The Lutchter & Moore Lumber Company built the first up-to-date modern lumber mill in this section, and now there are six large plants operating at this place, each with a capacity of about 100,000 feet a day.

"Previous to 1865 but little attention had been given to pine, as cypress logs could be gotten out at a trifling expense and swamps on both sides of the river bristled with dense forests. It was much easier to saw and, when dry, much lighter to handle, and vessels could carry so much more of it that transportation on it was cheaper.

"The first shingles made by machinery at this place were cut on knives. The blocks were sawed and split by hand, then steamed, after which they were put in a headblock that pushed them down and sliced off the shingles. It was started in 1857; but, as there were a great many split shingles then being made by hand here and at other places, the steam process was unprofitable and soon abandoned.

"A. T. Chenault erected a steam saw mill here in 1866 and in the following year converted it into a shingle mill, using the Muzzy patent that sawed in a vertical frame and cut an average of 15,000 shingles a day. Later he introduced the 14-block rotary—Burt's patent—that cut 100,000 a day. E. M. Smith and Wm. H. Black put in three similar machines at Adams's Bayou in 1868 and 1869. The mills were a success, but cypress timber became more difficult to get, and the demand was so great that nearly all of the cypress that came here after that date was converted into shingles. It is now quite scarce in low bottoms and for the past ten years the float of cypress logs has been less than a fifth of what it was twenty years ago.

"In 1875 the output of shingles at this place alone averaged 750,000 a day of sawed and 150,000 a day of split shingles, all made from cypress. Now the average will not exceed 50,000 a day for the year's work.

"A great diversity of opinion exists as to the quantity of timber standing in Texas. While government estimates may overgo the actual supply that was in sight at the time it was made, it is only the pessimist who attempts to predict the end. Less than ten per cent. of the quantity that was standing in 1890 has been consumed. Mr. Mark Weiss, of Beaumont, made up estimates four years ago that brought the standing timber down to about 16,000,000,000 feet. Other very conservative men insist that his estimate is far too low. But the government figures are evidently extravagant and could safely be divided by two.

"Hard woods of excellent quality have been exported from East Texas, but the industry has not been followed up with energy. Cedar, oak and walnut are found in ample quantities, suitable for oversea markets, but it is back from the coast and railroads charge too much freight to make it profitable at Texas ports.

"Shipments from mills in this vicinity for the past ten years are given below:

Year.	Cars.
1891 .....	6,792
1892 .....	9,220
1893 .....	7,251
1894 .....	5,404
1895 .....	8,815
1896 .....	6,929
1897 .....	6,506
1898 .....	8,277
1899 .....	8,545
1900 .....	7,421
Total .....	75,160

"An average carload of today is 15,000 feet; but, as many of the cars used here ten years ago were of smaller capacity, 12,000 feet of lumber is a very conservative estimate for an average carload. This will show 891,920,000 feet shipped from here by rail during the past ten years. At the same time 35,000,000 feet a year have gone away by the water route, in export and coastwise trade, to say 350,000,000 feet, which, added to the 891,920,000 feet shipped by rail, gives a total of 1,241,920,000 feet that mills at Orange have supplied to the trade in the time indicated."

The output at Marshall, Jefferson, Kildare, Queen City, and other points on the Texas & Pacific Railway, from Marshall to Texarkana and other points in that section of the State, during the period mentioned has been very large.

Bulletin No. 146 of the Twelfth U. S. Census, issued March 5, 1902, contains the following:

"\* \* \* The manufacture of lumber and timber products is the most important industry in the State. The 637 establishments reported in 1900 gave employment to 7924 wage earners, or 16.5 per cent. of the wage earners employed in the State, and the products were valued at \$16,296,473, or 13.6 per cent. of the total value of the products of the State. In 1890 there were 314 establishments, 7485 wage earners, and products valued at \$11,942,566. The increase in the value of products during the decade was \$4,353,907, or 36.5 per cent.

"The greatest increase took place during the last two or three years of the decade, 243 of the 637 establishments reported in 1900 having been erected during the census year. The industry is confined almost entirely to the counties composing the extreme eastern part of the State. The 215 mills in this section, from Bowie county on the north to Jefferson and Harris counties on the south, reported products valued at \$13,930,298 in 1900, or 85.5 per cent. of the total for the State, the industry centering chiefly around the towns of Beaumont and Orange. Forests of shortleaf pine extend from the Texarkana district southward to a point about 100 miles north of Beaumont, and average about 4000 feet of merchantable timber per acre. From this point southward to Jefferson county, and extending across the Sabine river into Louisiana, lies the finest continuous area of longleaf pine in the United States, the average stand of merchantable timber ranging from 6000 to 35,000 feet per acre. Many of the mills use considerable quantities of timber brought from the pine forests of western Louisiana. The small quantities of hard-wood

lumber manufactured in Texas—chiefly oak, ash and elm—were reported mainly from the counties lying along and near the Red River, in the northwestern portion of the State.”

Geo. C. Vaughan, W. W. Cameron and R. M. Farrar, Statistics Committee of the Lumbermen's Association of Texas, in a report, dated April 2, 1902, to Hon. Carl F. Drake, Secretary of the Association, say:

“The annual report of the Railroad Commission of Texas shows that the railroads in this State during the year ending June 30, 1901, handled 5,995,000 tons of lumber, shingles and other forest products, or an equivalent of 210,000 cars of 40,000 pounds to the car. It is to be understood that a single shipment is frequently handled by two or more lines. This is an increase of more than 800,000 tons (20,000 carloads) over that of the year immediately preceding. There is no other commodity that even approached this in tonnage or revenue. \* \* \*

“The following figures are taken from the annual report of the Secretary of the Southern Lumber Manufacturers' Association for the year 1901:

	Cut 1901.	Shipments 1901.	On hand 1902.
Louisiana .....	857,000,000 feet.	841,000,000 feet.	205,000,000 feet.
Arkansas .....	809,000,000 feet.	829,000,000 feet.	214,000,000 feet.
Texas .....	881,000,000 feet.	958,000,000 feet.	165,000,000 feet.

“The above are the three great yellow pine producing States. \* \* \*

A communication received by Hon. Carl F. Drake from the Secretary of the Southern Lumber Manufacturers' Association, in March, 1902, gives the following figures for Texas, saying that they represent not less than ninety-five per cent. of the yellow pine production in 1901: Cut, 881,553,566 feet; shipped, 958,414,907 feet; on hand January 1, 1901, 227,858,286 feet; on hand January 1, 1902, 164,960,025 feet.

“Some few years back, when general business throughout the United States was disturbed,” says the *Beaumont Daily Journal*, “the great lumber interests were naturally as much affected as any other. The Beaumont mill men then sought for new and profitable fields, and soon established a large and profitable export trade, particularly with Mexico. Enormous quantities were exported through Sabine Pass, Port Arthur and Galveston.

“By rail the lumber is distributed to points in nearly every State in the Union, even to Washington, a great lumber producer itself. Millions of feet are shipped to Oklahoma, the Indian Territory, Illinois, Iowa, Kansas, Nebraska, Colorado, Wyoming, the Dakotas, New Mexico, Arizona, Idaho, Utah, California, Oregon and, in fact, the entire Northwest. The trade with Old Mexico is enormous in itself. The famous longleaf pine is also exported by the Beaumont mills to all of the Central and South American States, Cuba, Porto Rico and other West Indian islands, Australia and New Zealand, Russia, Roumania, England, Ireland, Scotland, Germany, Holland, France, Italy, Spain and Africa. Since the general revival in the business world there has been a remarkable boom in the domestic demand, with a most satisfactory advance in prices, consequently the mill men are now giving more attention to the domestic than to the export trade, as it is more satisfactory.

"\* \* \* Three large mills at Beaumont \* \* \* built up an enormous trade: The Beaumont Lumber Company, The Texas Tram and Lumber Company and the Reliance Lumber Company. All of these are among the mills \* \* \* purchased by the Kirby Lumber Company, of Houston, Texas. The organization of this company, with a capital of \$10,000,000 was due to the fact, that heretofore large business could not be handled in Texas without bringing together a large number of manufacturers, a thing difficult of achievement, if not under Texas statutes unlawful. Hardly a bill can come now of such magnitude that it cannot be taken care of by the Kirby Lumber Company. They will go after the foreign trade harder than ever, when they have a surplus of stock and they expect to bring to Texas for the enrichment of this section and especially the toilers who seek their fortunes in this business, the trade and the cash of other countries and peoples.

"One of the first orders secured by Mr. Kirby was for 350,000,000 feet of lumber for domestic consumption, and he refused an order for 100,000,000 feet for export because the price was not up to standard. Previous to the advent of the Kirby Lumber Company there was no concern in Texas large enough to handle such an order, which fact operated injuriously to our manufacturers. It is the expectation of the Kirby Lumber Company to increase their capacity by erecting new mills to 1,000,000 feet or 100 carloads a day. They intend to inaugurate such economies of management, manufacture and distribution as to materially reduce the cost of the product and enable them to compete in nearly every market in the world.

"The annual capacity of the Kirby Lumber Company is 400,000,000 feet."

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## MANUFACTORIES.

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The facts concerning Texas manufactories stated in this article are collected from bulletins of the Twelfth U. S. Census and can, therefore, be relied upon.

The gross value of principal Texas manufactures in 1900 was \$119,414,982. The value of materials purchased in a partly manufactured form was \$35,775,924. The difference, \$83,639,058, is the net or true value of products, and represents the increase in the value of raw materials resulting from the various processes of manufacture.

To the following table should be added: Product of twenty-three penal and eleemosynary institutions that turned out manufactured articles worth \$652,232; and product of 3,933 establishments of an individual output of less than \$500 per annum, \$948,266, making the total of production, \$121,015,480. These establishments added, increase the total capitalization \$92,747,345.

## COMPARATIVE SUMMARY OF TEXAS MANUFACTURES FROM 1850 TO 1900.

	DATE OF CENSUS.				PER CENT INCREASE.			
	1900	1890	1880	1870	1860	1850	1880 to 1890	1870 to 1880
Number of establishments.....	12,289	5,298	2,096	2,331	938	309	133.3	75.8
Capital.....	\$ 90,433,882	\$ 46,815,181	\$ 9,245,561	\$ 5,284,110	\$ 3,272,450	\$ 539,290	93.2	406.4
Salaries of officials, clerks, etc. number.....	3,560	14,681	(*)	(*)	(*)	(*)	23.9	61.5
Salaries.....	\$ 3,233,075	\$ 3,437,843	(*)	(*)	(*)	(*)	96.1	.....
Wage-earners, average number.....	48,152	34,794	12,159	7,927	3,449	1,066	38.4	53.4
Total wages.....	\$ 20,532,355	\$ 15,148,495	\$ 3,343,967	\$ 1,787,825	\$ 1,102,756	\$ 322,398	35.7	353.1
Men, 16 years and over.....	44,198	31,845	11,645	7,450	3,338	1,042	38.8	56.3
Wages.....	\$ 19,669,733	\$ 14,524,346	(*)	(*)	(*)	(*)	35.4	123.2
Women, 16 years and over.....	2,913	1,977	116	157	111	24	47.3	26.1
Wages.....	\$ 737,363	\$ 502,291	(*)	(*)	(*)	(*)	160.4	41.4
Children, under 16 years.....	1,041	973	388	320	(*)	(*)	7.1	24.4
Wages.....	\$ 145,259	\$ 121,858	(*)	(*)	(*)	(*)	19.2	.....
Miscellaneous expenses.....	\$ 6,144,924	\$ 3,591,940	(*)	(*)	(*)	(*)	70.9	.....
Cost of materials used.....	\$ 67,102,769	\$ 36,152,308	\$ 12,956,269	\$ 6,273,193	\$ 3,367,372	\$ 391,642	85.6	103.5
Value of products, including custom work and repairing.....	\$119,414,982	\$ 70,433,551	\$ 20,719,928	\$ 11,517,302	\$ 6,577,292	\$ 1,108,538	179.0	86.3
Total population.....	3,048,710	2,235,523	1,591,749	818,579	604,215	212,592	69.5	239.9
Wage-earners engaged in manufactures.....	48,152	34,794	12,159	7,927	3,449	1,066	38.4	40.4
Per cent of total population.....	1.6	1.6	0.8	1.0	0.6	0.5	186.2	53.4
Assessed value of real estate.....	\$268,904,488	\$23,893,088	\$205,508,924	\$ 97,186,568	\$112,479,013	\$28,149,671	27.3	154.9
Value of land and buildings invested in manufactures.....	\$ 28,034,873	\$ 14,585,723	(*)	(*)	(*)	(*)	92.9	111.5
Per cent of assessed value.....	4.2	2.8	.....	.....	.....	.....	.....	.....

\*Includes proprietors and firm members, with their salaries; number only reported in 1900.

†Not reported separately.

‡Decrease.

\*Not reported.

†As given for the year 1900 in Dana's supplement, "State and City," to the Commercial and Financial Chronicle, under date of April 13, 1901.

‡Does not include value of rented property.



URBAN MANUFACTURES. (1)

	Num-ber of estab-lish-ments.	Cap-ital.	Pro-pri-ators and firm mem-bers.	WAGE-EARNERS.		Miscella-neous expenses.	Cost of materials used.	PRODUCTS.		POPULATION.	
				Average number.	Total wages.			Value.	Rank.	Total.	Per cent of total.
Total for State.....	12,289	\$ 90,433,982	14,074	48,152	\$ 20,552,365	\$ 4,144,924	\$ 67,102,769	\$ 113,414,983	.....	3,048,710	100.0
Total for urban manufac-tures.....	3,448	49,568,565	3,598	26,915	13,364,086	4,458,298	40,367,960	70,862,826	.....	391,299	12.8
Austin.....	279	825,293	298	967	471,818	152,199	896,750	1,921,853	10	22,254	0.7
Beaumont.....	51	3,113,766	48	944	439,078	71,167	1,194,064	2,014,501	11	9,427	0.3
Belton.....	53	309,063	58	189	74,462	16,963	279,222	467,504	22	3,700	0.1
Brownsville.....	36	96,945	37	63	17,646	3,478	58,292	106,680	30	6,305	0.2
Bryan.....	37	182,870	43	120	42,367	18,160	149,811	306,362	30	3,589	0.1
Calvert.....	29	150,778	24	101	25,206	14,718	236,767	527,005	30	3,322	0.1
Cleburne.....	75	459,325	75	807	406,011	29,573	593,060	1,292,797	15	7,493	0.2
Corpus Christi.....	39	75,770	40	80	28,210	5,541	73,157	1,292,797	15	4,703	0.2
Corsicana.....	118	929,030	139	598	295,292	1,362,281	1,362,281	2,147,116	20	9,313	0.3
Delton.....	37	187,598	39	86	36,113	9,080	118,191	224,709	28	3,423	0.1
Denison.....	373	6,807,015	388	3,753	1,932,485	685,954	6,270,570	11,480,499	9	42,638	1.4
El Paso.....	136	1,912,815	140	2,171	1,032,070	49,267	6,374,680	1,017,613	16	11,907	0.4
Fort Worth.....	209	2,550,904	224	1,449	1,036,517	523,005	3,343,550	8,846,045	3	15,906	0.5
Gainesville.....	76	2,468,045	77	1,449	1,036,517	392,377	3,343,550	5,392,904	5	26,688	0.9
Galveston.....	285	7,733,711	315	2,048	1,446,763	55,369	977,308	1,251,291	14	7,574	0.2
Greenville.....	15	6,073,445	17	240	93,187	47,229	2,618,009	5,016,360	19	37,789	1.2
Hearne.....	11	928,607	10	101	19,197	4,740	296,069	993,660	27	6,460	0.2
Houston.....	509	149,916	557	4,587	27,489	23,787	132,632	232,218	30	2,139	0.1
Jefferson.....	21	6,865,550	14	545	2,404,350	663,425	5,762,571	10,641,575	2	44,633	1.5
Marlin.....	40	385,904	43	140	94,367	16,068	292,658	493,462	21	2,860	0.1
Marshall.....	46	232,752	45	143	37,042	13,063	182,550	380,570	25	4,062	0.1
Orange.....	18	892,316	16	638	383,315	51,300	674,750	1,263,647	13	3,865	0.1
San Antonio.....	312	3,321,968	285	3,073	356,005	90,655	1,666,203	1,666,203	12	7,835	0.3
Sherman.....	78	4,252,197	79	452	1,735,008	654,349	3,254,324	6,821,797	4	53,321	1.8
Taylor.....	72	905,742	68	452	188,582	87,946	1,175,683	1,721,280	11	10,243	0.3
Temple.....	74	184,735	68	307	12,958	21,862	206,917	429,955	23	4,211	0.1
Waco.....	166	700,869	164	328	158,982	36,403	569,580	908,793	17	7,065	0.2
Weatherford.....	83	2,096,741	79	1,227	469,159	222,681	1,477,642	2,693,907	7	30,886	0.7
Yokum.....	23	309,550	23	173	72,671	29,177	368,467	608,415	18	4,786	0.2
Total for State exclusive of urban manufactures.....	8,841	201,097	10,476	21,257	156,782	8,741	186,378	371,093	.....	3,499	0.1
Per cent. of urban manufac-tures to total for State.....	28.1	54.8	25.6	55.9	65.1	72.6	60.2	59.3	.....	12.8	.....

<sup>1</sup>Seven cities in Texas contain a population exceeding 20,000 each: Austin, Dallas, Fort Worth, Galveston, Houston, San Antonio, and Waco.

The following statement of the number of establishments engaged in manufacturing in the several counties of Texas in 1900, and total amount of capital invested in same, is prepared for the YEAR BOOK from Census Bulletin No. 146:

Anderson, 104, \$760,252; Angelina, 38, \$1,150,386; Archer, 4, \$3,802; Atascosa, 14, \$16,485; Austin, 133, \$223,646; Bandera, 9, \$15,203; Bastrop, 87, \$261,360; Baylor, 11, \$32,620; Bee, 5, \$10,990; Bell, 239, \$1,250,500; Bexar, 333, \$4,388,318; Blanco, 15, \$26,445; Bosque, 85, \$272,888; Bowie, 81, \$832,351; Brazoria, 37, \$311,237; Brazos, 71, \$282,929; Briscoe, 3, \$1,565; Brown, 92, \$373,420; Burleson, 59, \$262,944; Burnet, 38, \$53,614; Caldwell, 85, \$191,045; Calhoun, 10, \$7,542; Calahan, 32, \$69,807; Cameron, 36, \$96,905; Camp, 51, \$161,591; Cass, 70, \$344,786; Chambers, 10, \$43,952; Cherokee, 89, \$422,114; Childress, 12, \$13,792; Clay, 32, \$91,560; Coke, 9, \$10,607; Coleman, 43, \$108,343; Collin, 190, \$831,635; Colorado, 75, \$198,245; Comal, 60, \$307,137; Comanche, 68, \$160,321; Cooke, 118, \$809,559; Coryell, 100, \$202,727; Crockett, 7, \$10,215; Dallas, 489, \$7,178,301; Delta, 68, \$208,403; Denton, 129, \$642,697; DeWitt, 94, \$494,195; Dimmit, 3, \$2,955; Duval, 7, \$10,120; Eastland, 58, \$262,062; Edwards, 6, \$29,849; Ellis, 203, \$800,582; El Paso, 143, \$4,604,231; Erath, 78, \$618,423; Falls, 122, \$500,630; Fannin, 204, \$761,331; Fayette, 174, \$592,740; Fisher, 6, \$7,210; Floyd, 6, \$4,320; Foard, 4, \$4,575; Fort Bend, 57, \$1,098,608; Franklin, 27, \$69,444; Freestone, 48, \$115,832; Frio, 5, \$11,525; Galveston, 305, \$6,089,840; Gillespie, 41, \$96,080; Goliad, 16, \$54,820; Gonzales, 107, \$290,122; Grayson, 301, \$2,562,172; Gregg, 48, \$333,050; Grimes, 68, \$194,505; Guadalupe, 67, \$284,617; Hale, 8, \$5,630; Hall, 10, \$9,145; Hamilton, 56, \$189,652; Hardeman, 17, \$465,383; Hardin, 11, \$546,061; Harris, 550, \$8,069,482; Harrison, 100, \$1,053,031; Haskell, 4, \$6,149; Hays, 40, \$170,672; Henderson, 52, \$161,660; Hidalgo, 6, \$12,561; Hill, 190, \$743,868; Hood, 49, \$124,920; Hopkins, 106, \$295,049; Houston, 69, \$180,321; Howard, 11, \$108,986; Hunt, 206, \$1,002,693; Jack, 29, \$95,430; Jackson, 19, \$40,702; Jasper, 11, \$19,602; Jefferson, 60, \$3,151,971; Johnson, 157, \$741,374; Jones, 25, \$71,850; Karnes, 33, \$81,508; Kaufman, 120, \$612,956; Kendall, 24, \$50,727; Kerr, 15, \$34,565; Kimble, 8, \$11,915; Kinney, 8, \$4,610; Lamar, 179, \$1,003,152; Lampasas, 50, \$75,727; La Salle, 4, \$3,030; Lavaca, 98, \$275,540; Lee, 66, \$132,211; Leon, 55, \$75,873; Liberty, 13, \$124,450; Limestone, 97, \$271,161; Live Oak, 3, \$2,100; Llano, 32, \$37,441; McCulloch, 14, \$20,126; McLennan, 302, \$2,493,524; Madison, 26, \$38,295; Marion, 44, \$553,705; Mason, 29, \$50,072; Matagorda, 21, \$35,198; Maverick, 5, \$40,130; Medina, 18, \$45,905; Menard, 6, \$18,475; Midland, 12, \$21,895; Milam, 122, \$424,234; Mills, 11, \$22,945; Mitchell, 19, \$55,445; Montague, 96, \$275,565; Montgomery, 54, \$538,925; Morris, 37, \$90,438; Motley, 4, \$1,605; Nacogdoches, 101, \$353,819; Navarro, 224, \$1,244,280; Newton, 15, \$2,815,038; Nueces, 43, \$84,670; Orange, 23, \$3,918,010; Palo Pinto, 47, \$96,310; Panola, 80, \$471,225; Parker, 135, \$536,309; Polk, 36, \$1,040,692; Potter, 5, \$28,190; Presidio, 6, \$10,825; Rains, 13, \$25,720; Red River, 136, \$324,645; Reeves, 5, \$19,182; Robertson, 103, \$431,176; Rockwall, 49, \$89,970; Runnels, 23, \$53,620; Rusk, 107, \$225,694; Sabine, 16, \$15,810; San Augustine, 22, \$33,036; San Jacinto, 36, \$150,231; San Saba, 25, \$46,490; Scurry, 6, \$11,210; Shackelford, 15, \$34,780; Shelby, 84, \$268,553; Smith, 133, \$480,612; Somervell, 7, \$7,813; Starr, 3, \$1,500;

Stephens, 18, \$24,920; Stonewall, 4, \$4,050; Sutton, 7, \$8,195; Tarrant, 290, \$2,922,090; Taylor, 39, \$185,908; Throckmorton, 8, \$4,770; Titus, 43, \$119,885; Tom Green, 28, \$94,520; Travis, 369, \$1,034,165; Trinity, 33, \$698,401; Tyler, 34, \$1,394,076; Upshur, 68, \$426,686; Uvalde, 7, \$19,240; Val Verde, 7, \$9,176; Van Zandt, 88, \$424,533; Victoria, 80, \$200,001; Walker, 42, \$111,452; Waller, 38, \$82,610; Washington, 138, \$599,547; Webb, 28, \$211,783; Wharton, 29, \$83,180; Wichita, 22, \$92,614; Wilbarger, 30, \$89,289; Williamson, 233, \$643,254; Wilson, 19, \$170,783; Wise, 99, \$229,744; Wood, 83, \$301,051; Young, 24, \$62,971; all other counties,<sup>1</sup> 33, \$39,801.

The following figures give, between semicolons, (1) kind and number of certain manufacturing establishments in Texas, (2) total capitalization, and (3) gross value of output in 1900:

Agricultural implements, 5, \$57,635, \$117,370; artificial limbs, 3, \$3,690, \$13,000; awnings, tents, and sails, 11, \$53,460, \$158,367; baking and yeast powders, 5, \$176,028, \$299,765; bicycle and tricycle repairing, 66, \$70,005, \$141,378; blacksmithing and wheelwrighting, 2,100, \$1,681,431, \$2,822,468; boots and shoes, custom work and repairing, 340, \$162,357, \$445,264; bottling, 3, \$5,350, \$7,250; boxes, wooden packing, 9, \$70,252, \$124,049; bread and other bakery products, 178, \$442,610, \$1,302,615; brick and tile, 143, \$1,293,271, \$1,020,205; bridges, 5, \$6,817, \$125,790; brooms and brushes, 54, \$54,477, \$159,427; carpentering, 397, \$555,906, \$4,614,199; carriages and wagons, 78, \$416,977, \$555,574; cars and general shop construction and repairs by steam railroad companies, 56, \$3,730,792, \$8,314,691; cars and general shop construction and repairs by street railroad companies, 3, \$12,400, \$20,138; charcoal, 13, \$28,145, \$53,923; cheese, butter, and condensed milk, factory product, 12, \$41,670, \$81,017; clothing, men's custom work and repairing, 276, \$366,551, \$1,238,367; clothing, men's factory product, 11, \$514,371, \$616,584; clothing, women's dressmaking, 81, \$79,334, \$240,824; coffee and spice, roasting and grinding, 8, \$19,990, \$63,646; coffins, burial cases, and undertakers' goods, 3, \$71,094, \$18,000; confectionery, 69, \$382,934, \$981,604; cooperage, 23, \$178,150, \$351,908; cotton, compressing, 45, \$3,355,732, \$1,081,212; cotton, ginning,<sup>2</sup> 3,222, \$9,282,101, \$5,886,923; cotton goods, 4, \$2,227,184, \$1,199,990; dyeing and cleaning, 56, \$66,132, \$115,500; electrical construction and repairs, 13, \$36,645, \$97,200; flavoring extracts, 3, \$26,245, \$64,640; flouring and grist mill products, 289, \$4,273,490, \$12,333,730; food preparations, 7, \$34,160, \$51,770; foundry and machine shop products, 99, \$2,809,524, \$2,682,426; fruits and vegetables, canning and preserving, 10, \$53,852, \$151,104; furniture, cabinet-making, repairing, and upholstering, 101, \$111,262, \$222,937; furniture, factory product, 8, \$145,323, \$185,285; gas, illuminating and heating, 11, \$1,763,597, \$379,613; hairwork, 3, \$2,765, \$3,750; hand stamps, 7, \$16,400, \$24,105; hats and caps, not including fur hats and wool hats, 3, \$7,155, \$20,432; ice, manufactured,

<sup>1</sup>Includes establishments distributed as follows: Armstrong, 2; Brewster, 1; Carson, 1; Collingsworth, 1; Cottle, 2; Crosby, 1; Deaf Smith, 1; Dickens, 1; Donley, 2; Ector, 2; Hartley, 2; Hemphill, 2; Jeff Davis, 1; Kent, 1; Knox, 2; Lipscomb, 2; Nolan, 2; Pecos, 2; Refugio, 2; San Patricio, 1; Ward, 1.

<sup>2</sup>Does not include many ginneries operated in connection with saw, grist, and cottonseed oil mills, or for the use exclusively of plantations on which they are located. For the full number of ginneries in operation reference should be made to the special report on cotton ginning.

77, \$2,563,888, \$1,184,332; ironwork, architectural and ornamental, 6, \$109,155, \$135,800; jewelry, 6, \$17,877, \$68,530; leather, tanned, curried, and finished, 11, \$24,763, \$76,508; lime and cement, 10, \$488,605, \$282,896; liquors, distilled, 5, \$24,426, \$20,657; liquors, malt, 9, \$4,439,012, \$2,689,606; lock and gun smithing, 62, \$45,931, \$74,011; looking-glass and picture frames, 21, \$23,235, \$41,965; lumber and timber products, 637, \$19,161,265, \$16,296,473; lumber, planing mill products, including sash, doors and blinds, 76, \$932,860, \$1,605,297; marble and stone work, 22, \$116,515, \$374,267; masonry, brick and stone, 96, \$184,037, \$1,891,253; mattresses and spring beds, 30, \$165,122, \$312,429; millinery, custom work, 421, \$682,951, \$1,494,968; mineral and soda waters, 139, \$500,909, \$646,420; monuments and tombstones, 66, \$277,289, \$570,131; oil, cottonseed and cake, 103, \$7,986,962, \$14,005,324; optical goods, 8, \$30,775, \$77,550; painting, house, sign, etc., 166, \$157,584, \$849,079; paints, 5, \$14,975, \$39,830; patent medicines and compounds, 30, \$179,059, \$343,769; paving and paving materials, 10, \$50,425, \$293,720; perfumery and cosmetics, 4, \$5,085, \$16,463; photography, 217, \$216,768, \$427,401; pickles, preserves, and sauces, 7, \$47,498, \$75,006; plastering and stuccowork, 24, \$11,015, \$162,940; plumbing, and gas and steam fitting, 87, \$361,555, \$945,462; pottery, terra cotta, and fire-clay products, 28, \$203,395, \$192,061; printing and publishing, book and job, 118, \$827,095, \$1,189,700; printing and publishing, newspapers and periodicals, 654, \$2,479,073, \$3,387,410; roofing and roofing materials, 22, \$104,761, \$234,332; saddlery and harness, 359, \$2,757,700, \$3,420,790; salt, 3, \$327,036, \$256,900; sausage, 3, \$8,750, \$20,000; sewing machine repairing, 8, \$1,540, \$6,950; ship and boat building, wooden, 7, \$10,930, \$126,446; shirts, 7, \$13,575, \$71,738; show cases, 4, \$30,679, \$61,654; slaughtering and meat packing, wholesale, 12, \$1,232,267, \$3,904,491; soap and candles, 7, \$71,944, \$113,172; sugar and molasses, refining, 44, \$1,015,653, \$367,078; tinsmithing, copersmithing, and sheet-iron working, 344, \$690,276, \$1,508,560; tobacco, cigars and cigarettes, 79, \$227,175, \$525,959; trunks and valises, 5, \$50,975, \$86,369; watch, clock, and jewelry repairing, 298, \$306,921, \$462,518; wirework, including wire rope and cable, 5, \$22,050, \$11,051; wood, preserving, 4, \$418,291, \$1,352,870; wood, turned and carved, 13, \$31,565, \$33,996; woolen goods, 3, \$285,663, \$196,340.

Gold produced in Texas in 1896, \$8,000; in 1897, \$7,400; in 1898, \$300; in 1899, \$6,900; in 1900, \$1,100. Silver produced in Texas in 1894, \$555,073; in 1895, \$581,810; in 1896, \$679,305; in 1897, \$523,249; in 1898, \$611,426; in 1899, \$672,323; in 1900, \$617,244. One Texas smelter handled 84,295 short tons of domestic ore and 252,887 short tons of foreign ore in 1900, containing 26,476,173 pounds of lead, 6,790,207 ounces of fine silver, 40,937 ounces of fine gold, 4,676,641 pounds of copper.

Census Bulletin No. 122, on "Industrial Combinations," contains some interesting figures for Texas for the census year, 1900.

"Some misconception exists as to what constitutes an 'industrial combination,' and it was necessary, in order to obtain a uniform basis of tabulation, to fix a definition which should limit and designate the corporations to be included. The following definition was therefore formulated, with your approval:

"For the purpose of the census, the rule has been adopted to consider no aggregation of mills an industrial combination unless it consists of a

number of formerly independent mills which have been brought together into one company under a charter obtained for that purpose. We therefore exclude from this category many large establishments comprising a number of mills which have grown up, not by combination with other mills, but by the erection of new plants or the purchase of old ones."

The figures are: Number of plants, 18; total capital, \$6,892,957, in which is included \$373,045 value of land, \$1,823,914 value of buildings, \$2,751,985 value of machinery, tools and implements, and \$1,944,013 cash and sundries; number of salaried officials and clerks, 153; total amount of salaries paid same, \$187,725; average number of wage-earners, 1,986; wages, \$735,787; miscellaneous expenses, \$624,210; cost of material used, \$7,706,090; value of products, \$10,041,150. According to these figures, the net profits on capital invested were more than eleven per cent.

Cotton mills in Texas as reported by United States census in 1900, 6; number of spindles, 60,876; mills projected, 6.

During the year ending May 31, 1900, Texas produced 864,619 tons of coal.

Two thousand two hundred and seventy-three tons of pig iron were produced in Texas in 1901. The iron deposits are practically inexhaustible, and, if petroleum can be used in blast furnaces, an enormous development of the iron industry in this State will be sure to follow.

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### H. A. McARDLE, SAN ANTONIO.

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This justly famous Texas painter was born in Ireland, of French and Irish parentage. When he was three years of age his father died, and when he was eleven his mother's gentle life came to a close as flowers fall asleep at set of sun, not, however, before she had taught him the rudiments of art and fired his soul with a love for the profession, in which he has since excelled. After her death he studied under Sauveur, an accomplished French artist, with whom he often went down to the shipping in Belfast to sketch the vessels and water.

When fourteen years of age he came to the United States with a maiden aunt, who died shortly after their arrival. He later resumed his studies under Professor D. A. Woodward, of Baltimore (one of the greatest masters of technique in the country), who had worked in Europe and secured a royal command to paint a portrait of the Prince of Wales—now Edward VII of England. Young McArde studied to good purpose, as is evidenced by the fact that he won the Peabody first prize and medal at the Maryland Academy of Design in 1860, at that time, perhaps, the best art school in the United States.

When the war between the States began he went to Richmond, Va., and enlisted in the Confederate army. Before the close of the war he was ordered to Richmond to serve in the navy department as draughtsman for the gunboats then being constructed. In the first campaign of General R. E. Lee in West Virginia he was on the engineer staff.

After the close of the war he married, in Albermarle county, Va., Miss Jennie Smith, and commenced the studies for his painting, "Lee at the Wilderness," but after two years his work was brought to a close by an

order from his wife's physician to take her to the West Indies or Texas. (The dread disease consumption had gone beyond the healer's skill.)

He came to Texas in the winter of 1868-1869 and, after the death of his wife, in 1871, resumed work on his "Lee at the Wilderness," intending to remain in Texas but for a short time. He had as models the very men needed for his canvas—soldiers of the glorious Hood's Texas Brigade, on whom Lee relied to restore his broken line at the Wilderness and whom he attempted to lead in person, but was restrained by the love and solicitude of the heroic Texans, one of whom seized his "Traveler's" rein and led him out of danger while the cry passed along the line, "Lee to the rear!" This work brought tears to the eyes of Jefferson Davis when he stood before it in Houston in 1875.

While McArdle was engaged on this work he read much of Texas history and greatly enjoyed conversing with and listening to the experiences of the old veterans, and the more he read and learned of the early days in Texas the greater to him was the fascination of the State's wonderful and dramatic history, so replete with subjects for painter and sculptor, and concluded to make Texas his home.

The following are a few of the themes he has worked out: "Battle of San Jacinto"; "Ben R. Milam Calling for Volunteers to Storm San Antonio"; "Henry Karnes Breaking through the Walls with Crowbar" (during the storming, 1835); "Deaf Smith Announcing the Destruction of Vince's Bridge"; and a smaller painting (four by seven feet) of the "Battle of San Jacinto." The last four paintings were commissioned by Mr. Jas. T. De Shields, who also had the portraits of Juan N. Seguin, Baron de Bastrop, Collin McKinney, Jas. A. Sylvester, Samuel M. Williams, General Houston, etc., painted. Mr. De Shields also purchased the large canvas "The Settlement of Texas by Anglo-Americans," which hangs in the Hall of the House of Representatives in Austin.

Mr. McArdle is now engaged on a full-length portrait of Houston from lately found material—a magnificent pen and ink study from life, made by the great Hungarian artist, Ivonski. (This, too has been commissioned by Mr. De Shields.)

The next and crowning work of Mr. McArdle will be the placing on canvas of a conception worked out more than a quarter of a century ago, "The Dawn at the Alamo"<sup>1</sup> (the fall of the Alamo)—a most powerful and dramatic conception. This work will be a companion to the "San Jacinto" painting. The Alamo was the butchery, the sacrifice; San Jacinto—seven weeks afterwards, and the same Mexican soldiers—vengeance, retribution.

There hang in the Senate Chamber of the capitol in Austin two portraits by McArdle. One, that of Reuben M. Potter, author of the "Hymn of the Alamo," was presented to the State by the Texas Veterans' Association, for whose commission it was painted. The other is a full-length portrait of Jefferson Davis, pronounced a "magnificent portrait" by Mrs. Davis, who complimented the artist in an elegant note. This work was presented to the State by a few patriotic citizens of Brenham, Texas.

While Mr. McArdle's practice was based, or formed, on the French manner, he long years ago discarded all schools and teachers save one—Nature—as impediments and interferences with originality, without

<sup>1</sup>The dawn of day when the last of the defenders fell; the dawn of liberty to Texas.

which no work was ever great. And now, while insisting on models for every object he represents, his works are an interpretation of, and not a substitute for, Nature.

The labor of preparation for an elaborate historical painting, when conscientiously carried out, is very great, and may be illustrated by the preparatory work for the "Battle of San Jacinto" picture. First, all obtainable published matter bearing on the history of Texas (histories, biographies, clippings, etc.), as well as manuscripts, letters, etc., were consulted. Next, the survivors were either interviewed, or corresponded with, even to Santa Anna himself. Then the battlefield had to be frequently visited and water and vegetation (from grass to trees) studied, as well as the topography of the battlefield, and distant landscape for the background of the picture. Then followed the study of uniforms, arms and equipment of the Mexican soldiery, in which work the artist was aided by General O. O. Howard, of the United States army (the same General Howard, by the way, who commanded the Eleventh Corps at Chancellorsville, where it was well nigh annihilated by Jackson). "Howard had gone to Mexico," says Mr. McArdle, "to visit the battlefields of Taylor and Scott. I sent him a description of the Mexican arms, uniforms, etc., represented on my canvas, and with this description he called on President Diaz, who courteously gave an order to the war department to ascertain if the details were correct. My description came back thus endorsed, 'The arms, uniforms, etc., as carried and worn by the Mexican soldiers in 1835-1836 correspond with your work. (Signed) O. O. Howard, Guy Howard, aide-de-camp.'"

Another labor was the collection of old flintlock pistols, muskets, shot-guns, rifles, sabres, swords, Mexican blankets, improvised aparejos, etc., as models. One gun came from New Mexico, and a Mexican blanket from Laredo, contributed by the late General H. P. Bee, of San Antonio.

But the greatest of all labors was in securing models for men and horses—an undertaking, too, accompanied by much expense. This was not all. All existing portraits of the San Jacinto soldiers had to be hunted up. Next came the study of single figures and groups, not only working for likeness, but for higher expression, motion and action, and, finally, the *esquisse*, and a linear perspective of single figures, groups, and the composition as a whole. The last feature of the work is not always carried out, even in less elaborate productions, because of its difficulties and the great time consumed in its execution. "On a sheet of paper some eighteen inches wide," says Mr. McArdle, "I was engaged for more than a year on this part of the work. There were more than seven years given to the canvas, and for many, many months my sleep did not average two hours per night."

A competent critic comparing McArdle's painting, "Battle of San Jacinto," with James Walker's famous so-called great picture, "Battle of Gettysburg," says: "In the one (Battle of Gettysburg) there is much shade and great smoke (where bad color and worse drawing *could* be hid), and the figures in silhouette are relieved only by the smoke—no detail of features or expression being possible under such circumstances. In the other (Battle of San Jacinto) neither blackness nor smoke is resorted to. By the way, I read, not long ago, a good joke at the expense of some battle painters: the writer wanted to know how the indifferent draftsmen would now manage in representing a battle with *smokeless* powder! The one has horsemen prancing about without any

apparent purpose, or aim. McArdle's has not a 'lay,' unoccupied nor an unmeaning figure or action; and all figures have, in their action and expression, a reference to others."

"My positions and views in art, in brief," says Mr. McArdle, "may be summed up as follows: No color, however magnificent, nor line, however subtle, can make a work of art. Without expression, truth, and a story told, the canvas had better been left untouched."

A request for McArdle to furnish material for a description of his studio brought the following response: "My studio? Little better than the great James Barry's carpenter shop, where he entertained Edmund Burke and where Burke was left to look after the steaks while Barry went after the 'alf and 'alf (porter and ale)."

He has the following children: Willett A., Philip H., Marie F., Marmaduke P., and J. Ruskin.

His skill as a portrait painter is fully commensurate with his skill as an historical painter, and his brush is in great request for such work, which affords rest from heavier labor.

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### PRESIDENT MCKINLEY'S TRIP THROUGH TEXAS.

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Perhaps the most notable event of the year 1901 in Texas was the trip of President McKinley through the State on his way to the Pacific coast. In response to the invitations of Governor Sayers and of the Twenty-seventh Legislature, and the mayor and city council and leading citizens of Austin, he stopped for several hours in the State capital and, together with Mrs. McKinley and other members of the party, was entertained with a warmth of hospitality that was gratifying to him, no doubt, at the time, and has since been a source of satisfaction to those who showed him honor. He also tarried a few hours in Houston, San Antonio, and El Paso, and, from the platform of his car, exchanged greetings with the people of various towns *en route*. When it was insisted in earlier days of the Republic (for selfish and ignoble ends), that we were "one people," there was no truth in the declaration. The times have since changed. War, intermarriages, the building of telegraph and telephone lines, the march of commercial and industrial development, common sorrows, common aspirations, and the growing, and now fixed, conviction that the people of the Northern, Eastern, Western, and Southern States are heirs of a common destiny, and have unitedly to play a part assigned them by Providence upon the field of human development, has at last knit us together as one homogeneous mass. We are, in truth, one people—at once citizens of sovereign States and of a great Republic. While the people of Texas have testified, by a majority of votes at the ballot-box, that they believe that the broadest and best results can be obtained by the government being administered on the principles advocated by the Democratic party, at the same time they realize that others of their fellow citizens may honestly hold different views, recognize that the majority must rule, and that whoever may be President for the time is not merely the President of a faction, but of all the people and represents in his person the majesty and power of the



whole body politic, and is worthy of every kind and patriotic attention that personal courtesy, or loyal devotion to country, can inspire.

In the review of the proceedings of the Twenty-seventh Legislature, printed elsewhere in this volume, are given the resolutions inviting President McKinley to visit Texas, expressing sorrow at the attempt made upon his life, memorial services after his death, etc.

He seems to have been an honest, sincere man, who, according as he saw it, sought to follow truth.

He was given a heartfelt welcome to Texas. He entered the State from New Orleans, coming over the Southern Pacific Railway.

The honors shown him in that city, May 2, were of the most imposing, and must have been to him of the most gratifying character. They included ceremonies of welcome and speech making in the old Cabildo, the seat of the former Spanish and French rulers, which is yet preserved in its original integrity by the Louisiana Historical Society. This historic building is situated opposite what is now Jackson Square, but was formerly the Place d'Armes. Within its walls nearly a century ago, in the very room President McKinley was received, the representatives of Napoleon Bonaparte transferred, through Wilkinson and Claiborne, commissioners, the Louisiana Territory to the United States.

"Alcee Fortier, a distinguished French Creole, President of the Louisiana Historical Society, recalled these great events in his address to the President," says the Associated Press correspondent, "and the President, in his response, dwelt upon their momentous bearing upon the world's history. \* \* \*

"In the afternoon the Presidential party embarked on a Mississippi river steamboat for a trip along the river front to Audubon Park to the historic battlefield of Chalmette, where the monument erected in memory of the defeat of Pakenham by General Jackson dominates the view from the river."

The Presidential special train left New Orleans at nine o'clock at night, and arrived at Houston early the following morning (Friday, May 3), where the President was met at the depot and welcomed to Texas by Governor Joseph D. Sayers. An interesting program was crowded into less than two hours at Houston.

At the auditorium Mayor Woolford introduced Governor Sayers, who in turn introduced President McKinley in the following brief speech:

*"Mr. President, Ladies and Fellow Citizens:*

"I had intended to welcome the chief executive of more than seventy-five million people, with one flag, one country, and one destiny, into the imperial commonwealth of Texas, but I am proud to say that Houston has anticipated me and taken that great pleasure from me at the very borders of the State. I will not detain you with any long speech. I now have the pleasure and honor of introducing to you President McKinley."

The President was greeted with prolonged cheers as he rose to reply. He said:

"My fellow citizens, words fail me to give expression to the appreciation which I have for this magnificent welcome you have accorded me in this city, my first stop in the great State of Texas, and with more gratitude personally to receive from my old friend and colleague in the national House of Representatives, your present governor, Texas' wel-

come to the President of the United States. I am not an old man, but I remember some of the earliest statesmen of Texas, with whom I served many years ago in the national house. They were strong men and true, and great representatives of the people, always looking after the interests and welfare of this great commonwealth, which I would be pleased to call an empire, but we're sensitive on the question of empires, and I am glad your Governor made use of the term. It is an empire, like all the rest of the States in the domain of the sovereign people.

"The South is contributing its full share in the economics and industries of this great country, and has helped to give to us the proud rank of first among the manufacturing nations of the world. Its increase in spindles in the manufacture of cotton is almost marvelous. In its coal beds and forests it has added wealth to the gain of our people. ['And the oil,' interrupted some one in the audience.] Yes, and your oil, and you'll find everything will run smoother if this oil is only lasting and permanent.

"I am not here to make a speech; only to receive your greeting and give expression of my appreciation. It is not only a union of hands, but of hearts that we have made to day. I bring you the good will of this great nation to the State that under the new census will have sixteen representatives in Congress, and will be the sixth State in the Union, ranking with Illinois, Ohio, Indiana, and New York."

Following President McKinley, Secretary of State Hay, Postmaster General Smith, Secretary of the Interior Hitchcock, and Secretary of Agriculture Wilson, were introduced and delivered a few brief, but felicitous remarks.

Governor Sayers then offered his arm to Mrs. Anson Jones, the venerable widow of the last President of the Republic of Texas, and, advancing, introduced her to President McKinley, who bowed reverentially in response, and received from her hands a beautiful silken Texas banner, from the staff of which hung three large satin streamers, the national colors, red, white, and blue. On the red streamer was the motto of the Daughters of the Republic; "Texas, One and Indivisible." The blue ribbon bore the inscription: "San Jacinto Chapter, Daughters of the Republic of Texas," and on the white ribbon was lettered: "Greeting to Our President—Houston, May 3, 1901." On the staff was cut: "This wood is from the First Capitol of the Republic of Texas."

As Mrs. Jones handed the flag to President McKinley, Mrs. Max Urwitz addressed him, in part as follows: "Mr. President, some years ago we made a request of you that was granted so promptly and so graciously, that your name and character have been endeared to us ever since. 'Twas but the granting of the office of postmistress to one of our number in the town of Abilene, Texas. A little thing 'dropped in the heart's deep urn.' In writing of it, a Texas congressman, Hon. R. B. Hawley, said: 'The Daughters of the Republic of Texas should feel proud. President McKinley showed as much sentiment in making this appointment as if he had been a native Texan himself.' Little thought we then that we would have the happy privilege of looking into the face and clasping the hand of this great and good friend of ours.

"Here in Houston, sir, you are near historic ground. Only a few miles away is the stream which, swollen by April rains, forbade the progress of the Texas army. Hastily constructing a raft of boards torn from a settler's cabin, a whole day was consumed in crossing over those

eight hundred men. All day, with anxious heart and straining eye, they watched for the dread signal of the approaching foe. At set of sun the task had been accomplished, and the last man to cross was Thomas J. Rusk. As weary and faint he clambered up the muddy bank, General Houston grasped his hand, exclaiming: 'Thank God, Rusk, we are over.' It was a supreme moment for Texas! Thank God, they were over—over to avenge on San Jacinto's plain the blood of Bowie, Crockett, Milam, Fannin, and Travis; over to win victory and eternal glory. With rifle and musket and the 'Twin Sisters' (the noble gift, sir, of your native Ohio), their only artillery, they defied Mexico.

"Texas today owns the battlefield where this great decisive battle was fought. Today the work of improving and beautifying remains to be done; but, with the generous and helping hand of our Governor, Joseph D. Sayers, the work will be accomplished, and his administration thus immortalized.

"But, Mr. President, we would not detain you. We beg you to accept this little flag of the Lone Star from the hands of our venerable President. She is the connecting link between the past, the present, and the future—the widow of the last President of our Republic, the Hon. Anson Jones, he who, as the Lone Star was lowered on that memorable February 19, 1846, and the Stars and Stripes went up, exclaimed, 'The Republic of Texas is no more.'

"Take it, sir, with all it symbolizes from loving hands, and take it with the blessing, the 'God speed you,' of the Daughters of the Republic of Texas."

The President replied in a few well-chosen and appropriate words.

Mrs. Margaret Houston Williams, daughter of General Sam Houston, was next presented to him, and the greeting was most cordial.

The following committee of Houston and other ladies had charge of the entertainment of the ladies of the presidential party: Mrs. O. T. Holt, Chairman; Mrs. J. D. Sayers; Mesdames J. C. Hutcheson; Thomas H. Ball, of Huntsville; C. S. Riche, of Galveston; S. K. Dick, of Marietta, Ga.; J. W. Wallace, of Covington, Va.; T. W. House, T. R. Franklin, Robert Brewster, John F. Dickson, Estelle Brady, S. W. Sydnor, Anson Jones, Max Urwitz, J. J. McKeever, Jr., Rosine Ryan, Margaret Houston Williams, Carter Walker, M. H. Foster, L. T. Noyes, Frank Cargill, Bettie Bryan, J. D. Woolford, R. S. Lovett, Laura Seward, N. S. Meldrum, Fort Smith, H. F. McGregor, R. B. Morris, S. F. B. Morse, James A. Baker, S. E. McAshan, Jeff Miller, R. W. Knox, Howard Smith, M. E. Foster, E. B. Parker, J. A. Kyle, H. F. Ring, P. K. Ewing, J. O. Ross, W. G. VanVleck, W. B. Chew, M. L. Robbins, J. H. B. House, G. A. Mistrot, W. H. Leavell, H. D. Aves, A. Vandervoort, W. C. Crane, A. K. Taylor, Misses Corinne Abercrombie, Ella Smith, Edna Woolford, Alma Miller, Annie Quinlan, Effie Jones, Maggie Shearn, Lucy Brady, Blanche Ward, Laura Franklin, Julia May Morse, Eleanor Henke, and Eva Tuggle.

Mrs. Holt and the following members, constituting a sub-committee appointed for that purpose, were in waiting when the train arrived, and stepped aboard the Olympia, President McKinley's car, after the President and Governor Sayers had driven off, and, repairing to the drawing room, found all the ladies of the Presidents' party, except Mrs. McKinley and her niece, Miss Barber, waiting to receive them: Mrs. T. W. House, Mrs. Jeff N. Miller, Mrs. Seabrook Sydnor, Mrs. Norman Mel-

drum, Mrs. James A. Baker, Mrs. Everett McAshan, Mrs. Fort Smith, Mrs. J. Allen Kyle, and Mrs. M. H. Foster.

One of the committee asked Mrs. Cortelyou to give a bouquet of flowers to Mrs. McKinley for her, and in a moment Mrs. Cortelyou came quickly back to say that Mrs. McKinley wanted to meet the strangers. By this time only Mrs. T. W. House, Mrs. Foster, Mrs. Kyle, and Mrs. Norman Meldrum were left. Mrs. Fort Smith joined them and they went in to Mrs. McKinley's dining room, where she was finishing her breakfast, and with her was Miss Barber. She was very cordial, and expressed the pleasure that the trip was giving her and also regret that her health would not permit her to take part in the many delightful compliments that were being paid the party on its way through the South.

Mrs. Hay, Mrs. Smith, Mrs. Long, Mrs. Cortelyou, Mrs. Rixey, Mrs. Moore, Miss Hitchcock, and Miss Wilson were escorted in carriages to the Rice Hotel, where they were received by the other members of the committee in the parlors, beautifully and gorgeously decorated for the occasion. After the reception the visitors were taken for a drive over the city (the carriages filled with flower pieces that had decorated the room), and then conveyed to the train, where Mrs. T. R. Franklin, President of the Houston Chapter of the Daughters of the Confederacy, was introduced to Mrs. McKinley, who expressed her pleasure in meeting a representative member of the association.

Adieus were then exchanged and shortly thereafter the magnificent train pulled out for Austin, at 10:20 a. m., with the President on the rear platform, the crowd waving handkerchiefs and cheering, and the special train of the Governor following, with Governor Sayers and prominent ladies and gentlemen of Houston aboard.

A stop was made at Prairie View, where, from the platform of a pavillion built for the purpose, near the railroad track, President McKinley was introduced by Governor Sayers, and spoke to a throng of two thousand persons, composed of teachers and students from Prairie View State Normal School, of citizens of the vicinity, and of people who had arrived on excursion trains.

A stop of only a few minutes was made at Hempstead, not long enough for a speech, but the hundreds gathered to catch a glimpse of the chief executive greeted him with cordial cheers that left no room for doubt that they were in full touch and sympathy with the spontaneous outpouring of feelings of genuine friendliness that had been evinced at Houston and Prairie View.

At Brenham, as the train pulled into the depot, an artillery salute was fired. Colonel D. C. Giddings, of the reception committee, stepped aboard the car and extended a cordial welcome to "Our Chief Magistrate." The President spoke briefly, from the rear platform, to the large concourse assembled and was cheered lustily. Mrs. McKinley was presented with a basket of pretty flowers by Blanche Wilson, Adell Lindeman, and Anna Widenbaum, little maids representing the school children of the Central, First Ward, and Third Ward Schools; and Mrs. McKinley with a map of Texas, formed of flowers with the Lone Star for a center, by the teachers of the Central school.

A pilot engine was sent ahead of the presidential train. The engines pulling the trains were elaborately decorated with flags and bunting. Just above the pilot point on the engine of the President's train was

an immense Texas star. The I. & G. N. and Southern Pacific Railway Companies, for that part of the journey of the President through Texas that extended over their roads, furnished engines that were equally as handsomely adorned, and sent pilot engines ahead to insure safety.

The trains reached Austin about 4:30 p. m.

"The line of march from the depot to the Capitol," says the *Statesman*, "was headed by the officers of the local police force and Sheriff Davis, 2nd Infantry Band, of Brenham, Trumpet Corps, of Waxahachie, twelve companies of infantry, carriages, fire department, fire department band, two companies of infantry, Troop C, Capital City Cavalry, Confederate veterans and members of the G. A. R. post."

The military force was commanded by Brig. Gen. W. H. Stacy, T. V. G.

The visiting companies were: 1st Infantry, Col. John L. Veazey, staff and Majors B. F. Delameter and Eugene Green. Co. B., San Antonio, Capt. R. L. Schmerbeck; Co. C., Galveston, Capt. A. Buchel; Co. D, Luling, Capt. R. L. Stagner; Co. F, San Antonio, Capt. Jack R. Burke; Co. H, San Marcos, Capt. William Green; Co. I, Bastrop, Capt. J. S. Jones; Co. K, Caldwell, Capt. H. H. Delameter; Co. L, Austin, Capt. John A. Brackenridge.

2nd Infantry: Lieut. Col. R. W. Hearne, and Maj. S. W. Parish; Co. C, Navasota, Capt. Hammond Norwood; Co. D, Marlin, Capt. W. T. Lenoir; Co. F, Waco, Capt. J. W. Speight; Co. I, New Braunfels, Capt. M. E. Guinn; Co. K, Waco, Capt. Walter G. Lacey; Co. L, Calvert, Capt. L. S. Casimer.

2nd Infantry Band, W. A. Jakel, Chief Musician.

3rd Infantry: Co. E, Dallas, Capt. E. H. Roach.

Waxahachie Trumpet Corps, C. W. Ryburn, Chief Trumpeter.

1st Artillery, platoon of Battery C, Brenham, Capt. R. H. Schultz.

Signal Corps, Co. A, Brenham, Capt. Schirmacher.

The carriages containing the presidential party were arranged in the following order: 1, President McKinley and Governor Sayers; 2, Mrs. McKinley, her maid servant, Dr. Rixey, and Hon. Jeff McLemore; 3, Secretary Hay, Judge A. W. Terrell, and Mrs. A. W. Terrell; 4, Mrs. Moore, Miss Barber, and W. H. Richardson; 5, Postmaster General Smith, W. B. Brush, and Mrs. W. B. Brush; 6, Rear Admiral Mellville, Webster Flanagan, and Mrs. Webster Flanagan, and Mayor Emmett White; 7, Secretary Hitchcock, Hon. Walter Tips, and Hon. A. S. Burleson; 8, Secretary Wilson, and John Bremond; 9, Mrs. Smith, Miss Hitchcock, Miss Wilson, and A. G. Smoot; 10, Secretary Cortelyou, Assistant Secretary Barnes, and Hon. W. B. Wortham; 11, Mrs. Cortelyou, Mrs. Rixey, and Hon. Charles S. Morse; 12, Messrs. Scott and Moore, and Hon. John L. Peeler; 13, Mrs. Scott, and Dr. Dignan; 14, — Krutchnitt, and Captain Joseph A. Nalle; 15, Messrs. Leonard, Webster, Latta, and Scarbrough; 16, Messrs. Thompson, Clark, and Hazzard, and Dr. E. P. Wilmot; 17, Messrs. Emmett, Dunn, Hare, and John Orr; 18, Messrs. Price, West, Lord, and Augustus Eilers; 19, Messrs. Strohmeier, Moreau, and Ribbe, and Hon. Lewis Hancock.

The President's carriage was drawn by two beautiful black horses. "A string of sweet peas," says the *Statesman* "circled the body of the carriage. A bank of carnations, the President's favorite flowers, greeted his eye from behind the driver's seat, while on either side of the front

seat arose beautiful and stately white lilies. The carriage was a fluttering mass of blue, white, and red silk ribbon.

"Soldiers with fixed bayonets were stationed at every cross street from the depot to the capitol along the line of march, and sentinels were placed in the middle of each block for patrol purposes. At the depot the entire trackage was kept clear by the soldiers, and at the Capitol the same order of policing was observed, thus maintaining a clear way for the presidential parties at every point." Details from Troop C also patrolled the Avenue. The signal corps established stations at the depot and at the head of the Avenue to convey immediate intelligence of the incoming of the President's train, and the artillery company manned a battery in the capitol grounds ready to fire the regulation salute at the proper time. The first gun was discharged as the train approached the Union depot, and, as the procession advanced up the noble and handsomely decorated Avenue, cannon after cannon welcomed with warlike voice the Chief Magistrate of the Republic to the Capital of Texas.

"When President McKinley's carriage reached the \* \* \* arch at the intersection of Fourth Street and Congress Avenue," says the *San Antonio Express*, "two elaborate floral gates flew open, and Mayor R. E. White stepped forward and presented the President with a large plain silver key, appropriately engraved. \* \* \* Mayor White said: 'Mr. President, on behalf of the Capital City of the largest State in all the Union, over which you have been chosen to administer the scepter of power, I tender you this key. It unlocks alike the hearts and hospitalities of our people and opens to you the city as your own. "Ask and you shall receive." The city is as completely your own as is the hearts of all our people.'

"President McKinley received the key with a bow and the simple words, 'I thank you.'"

A crescent surmounting this arch bore in large letters the inscription: "Welcome to Austin."

A massive arch at the south entrance to the capitol grounds contained the words: "Our President."

"On every hand," said the *Statesman*, "the decorations were of the most elaborate character. Never before in the history of this city \* \* \* has there been anything to equal the reception of yesterday. As early as Wednesday morning (May 1) the crowd began gathering, by Thursday the city was crowded, and yesterday standing room was at a premium. Trains brought hundreds of people from North Texas, South, West, and East Texas into the city, and with their coming the multitude increased to a degree that it was next to impossible to get along the main thoroughfares of the city."

Notwithstanding the throng, the most perfect order prevailed, and every emergency was so provided for that all sightseers had an opportunity of obtaining unobstructed views of the brilliant pageant. As the procession moved with stately tread the length of the Avenue, with flowers and waving banners, and to the strains of inspiring music, the people more than once cheered; not boisterously, but in a manner to evince the sincerity of their welcome and the heartiness of their good will.

The President and other guests entered the Capitol through the north portals, over which glittered a Texas star composed of 258 incandescent electric lights.

The ladies, including Mrs. McKinley, proceeded to the Senate chamber.

Governor Sayers and President McKinley, arm in arm, led the way for the gentlemen through the lower corridor to the terrace gallery at the east entrance of the building, where Governor Sayers introduced the President to the immense multitude that had gathered near the steps, and, extending back, overflowed the spacious grounds into the adjoining streets. On the platform were seated many distinguished personages, including judges of the courts of last resort, State officials, ex-Governor F. R. Lubbock, Hon. John H. Reagan, Hon. L. J. Storey, members of the Legislature and leading men of Austin and other cities.

President McKinley, in the course of his speech, said: "My fellow citizens, no more cordial or generous welcome has greeted me in my journey from the capital of the nation than that which now greets me at the capital of Texas. I am glad to be in this city, named in honor of the pioneer of American colonization in Texas, located in the county of Travis, called in honor of him who fell at the Alamo, 'from whence came no messenger of defeat.' I am glad to be on this historic ground and to receive the greetings of my countrymen, and to rejoice that Texas was not as successful in getting out of the Union as she was in getting in. The people of Texas, like the people of the original thirteen States, fought their way to independence, and like them came into the Union without any territorial probation, a perfected State. They conquered the right of self-government through the sword, and then sought association with other States of the Republic. They thought it no sacrifice of their independence to pass from a Republic to a sovereign State in the Federal Union. It was the realization of their highest aspirations, and brought order, security, tranquillity, and opportunity to govern themselves. What a mighty acquisition, and how rich with benefits for both Nation and State.

"Texas is no longer a battlefield of contending armies. The weapons used are no longer those of war; they have long since given way to the implements of peace and husbandry employed in the development of the rich resources in which this commonwealth abounds. She has a historic past, a noble past. Her statesmen were among the ablest, her soldiers among the bravest. She has before her a mighty future. Her battles to be waged hereafter are for trade and commerce and education and material development. Her possibilities are too vast to admit prophecy. God has given her everything for the comfort and happiness of man and for the employment and use of his highest and best faculties. \* \* \*

The Senate chamber was beautifully decorated. Palms were arranged around the base and banks of sweet peas and vases of bride and bridesmaid roses on and around the top of the mahogany desk used by the presiding officer. "To the rear, and sweeping from the balcony to the floor, hung a great curtain of Texas smilax. Ranged side by side was a large United States flag and Texas flag. Along the sides of the Senate chamber and to the right and left of the doors, were tastefully arranged groups of palms. From the four galleries surrounding the chamber swung emblems of the Texas star, while immediately in front of the dais was a bank of sweet peas, and to the immediate right and left banks of bluebonnets. Amidst all this floral loveliness nestled a bunch of pink carnations.

The ladies who were on the reception committee assembled at the

Capitol sometime before the presidential party arrived and were assigned to positions by Messrs. Jno. D. McCall, Hunter Wilson, George Walker, R. E. L. Saner, and Will Thornton, members of the ladies auxiliary committee.

The following ladies comprised the receiving list in the Senate chamber: Misses Katherine Kone, Sallie Hanel, Boughton, Irene Palm, Lillian Crawford, Belmont Graham, Gracie Graham, Fulmore, Reynolds, Wellmer, Storey, Belle Chapman, Lolla McKean, Maud Dean, Laura French, Kate Weed, Daisy Weed, Mary Miller, Bessie Miller, Ima Hogg, Vivian Brenizer, Katherine Hamilton, Eugenia Haldeman, Nina Hooper, Cravens, Kate Cravens, Pace, De Zavala, Cummings, Gill, Ella D. Gould, May Knowles, Tips, Kate Hendricks, Rosa Knolle, Rosa Collett, Carpenter, Frankie Withers, and May Morse, and Mesdames J. D. Sayers, D. T. Iglehart, Ira H. Evans, Chas. S. Morse, G. H. Kinsolving, John H. Reagan, Joseph Nalle, T. W. Gregory, Robt. Crosby, Mansfield McLaurin, R. L. Brown, E. H. E. Barrett, Anna D. Hearne, Rebecca J. Fisher, J. G. Tod, Gardner Ruggles, Peyton Brown, R. C. Walker, John Claybrook, R. M. Love, George W. Finger, Richard Brenham, Joe Wooten, Goodall Wooten, F. A. Scott, Hendricks, H. C. Withers, Walter Wilcox, Carl F. Drake, A. J. Baker, Howell Bunton, Eva Hurley, J. T. Berry, W. B. Sharp, M. T. Lively, Daisy Bouldin, R. R. Gaines, Wm. P. Gaines, Eugene Tips, H. L. Hilgartner, A. H. Graham, Z. T. Fulmore, V. O. King, H. L. Piner, L. M. Crooker, T. B. Lee, A. J. Hooper, and E. J. Hooper.

Mrs. McKinley entered the Senate chamber leaning on the arm of Dr. Rixey and with the other guests walked to the rostrum over flowers scattered before them by beves of ladies, drawn up in line to the right and left.

Introductions to Mrs. McKinley were made by Mrs. Gov. Sayers.

While the reception was in progress, Mrs. Rebecca J. Fisher, President of W. B. Travis Chapter No. 3, presented Mrs. McKinley with a handsome souvenir medal, with the compliments of the Daughters of the Republic.

The levee was brought to a close by the arrival of the President, the Governor, and the rest of the party. Once more the two lines of ladies were formed and, as the President entered, the ladies cast flowers before him, and he was continually making acknowledgments. Each of the young ladies wore a badge on which was brightly lettered the words: "Welcome Ever Smiles."

The Governor's staff band played "Hail to the Chief." After a brief reception, Secretary Hay was introduced by Hon. A. W. Terrell, and delivered a short address.

The Governor then introduced the President, who said: "Ladies, no response is adequate to a tribute like this from the women of this beautiful city to the ladies of our party and to the President of the United States. We have seen many bowers of beauty in our journey through the country, and, if I thought the papers would say nothing about it, I would say we have seen nothing like this anywhere. [Laughter and applause.]

"I only rise that I may express to you for Mrs. McKinley and myself and all associated with us, our appreciation of this most beautiful expression of good will and gracious hospitality."

From the Capitol the President and party were driven over the city,



making the first stop at the University of Texas, where he spoke briefly from his carriage, was cheered in true University style, and was presented with a basket of bluebonnets, the State flower of Texas. President Prather and the Regents of the University of Texas stood in front of the assembled students. The building was beautifully decorated. When the carriage containing Postmaster General Smith drew up at the main entrance, he was called upon for a speech and delivered a few remarks suitable to the occasion and that were liberally applauded.

From the University the party drove to Hyde Park and through the grounds surrounding the State Lunatic Asylum.

After returning to the city the party stopped long enough in front of a public square at Eighth and Guadalupe streets for the President to say a few words to the negroes who had assembled at that place in large numbers. He spoke as follows:

"The greatest of our blessings are liberty and opportunity, and the wish that I have for you is that you may always enjoy the former and wisely improve the latter. Liberty and opportunity are keys to the widest and best development."

The party then repaired to the Governor's mansion, where they dined in state with Governor and Mrs. Sayers, and Hon. John H. Reagan.

An elegant banquet was given at the Driskill Hotel to the representatives of the press traveling with President McKinley. General Webster Flanagan acted as toastmaster. The toasts for guests was responded to by Harry West, of the *Washington Post*. Judge Julius Schutze responded to "The Texas Press," and Mr. Hemmett, of *Harper's Weekly*, to "The Illustrator."

Postmaster General Smith was escorted from the Governor's mansion to the Driskill at 9 p. m. by a committee and was introduced by Postmaster W. B. Brush, in an address of welcome, to about one hundred Texas postmasters, who had assembled to greet and pay their respects to the head of the postal service. General Smith responded in a graceful speech. Handshaking followed, and the interest of the occasion was enhanced by short speeches delivered by Dr. Clifford, of San Antonio, W. P. Cochran, of Marble Falls, and other members of the Texas Postmasters' Association.

The music furnished by Besserer's band and the Firemens' band for the President's reception was a notable feature and the subject of many complimentary remarks from the distinguished guests and others.

At the conclusion of the dinner at the Governor's mansion, the presidential party was escorted to the depot, which they left at 10 p. m. for San Antonio.

The Avenue was a blaze of light as the visitors rode to their train. At intervals of sixty feet were arches of various colored electric globes, all brilliantly aglare. An arch that spanned the Avenue near the depot displayed the words "Au Revoir," composed of an immense number of incandescent lights.

"The following committees," says the *Statesman*, "worked hard on the McKinley reception, and the complete success of the event is due to their untiring efforts, both individually and collectively:

"The general committees appointed by Governor Sayers and Mayor R. E. White:

"Executive Committee (representing Texas State government): Governor Joseph D. Sayers, Chairman; Joe Lee Jameson, Vice-Chairman;

A. W. Terrell, Thomas Scurry, W. L. Prather, D. A. McFall, E. Taylor Moore, T. W. Gregory, Sam Harlan, J. A. Hooper.

"Citizens Central Committee (representing the City of Austin): Governor Joseph D. Sayers, Chairman; Mayor R. E. White, Vice-Chairman; Webster Flanagan, James S. Hogg, A. P. Wooldridge, W. B. Brush, Dr. E. P. Wilmot, W. R. Hamby, James H. Robertson, Ed. H. Smith, Ira H. Evans, W. B. Wortham, A. J. Eilers, J. L. Hume, John L. Peeler, Lewis Hancock, and Carl F. Drake.

"Senate Committee (appointed by Lieutenant Governor Browning): J. B. Dibrell, of Seguin, Chairman; W. A. Hanger, of Fort Worth; R. V. Davidson, of Galveston; D. E. Patterson, of Belton; D. McNeill Turner, of Corpus Christi.

"Committee to Entertain Ladies of President's Party: Jeff McLe-more, Chairman, John D. McCall, Asher G. Smoot, R. E. L. Saner, Geo. H. Walker, Will Thornton, W. H. Richardson, Jr.

"General Press Committee: L. A. Petit, Chairman, George W. Macdonnell, W. D. Hornaday, George Mendell, Julius Schutze, James Hayes Quarles, Ed. Newton, Tom Finty, F. A. Scott, Henry Hutchings, Bouldin Rector, H. H. Shelton, Jack Fernandez, W. M. Spence.

"Sub-committees appointed by the General Committee:

"On Reception: A. W. Terrell, Chairman, Webster Flanagan, Walter Tips, W. B. Brush, A. J. Eilers, E. P. Wilmot, Lewis Hancock, John Bremond, Jos. Nalle, E. M. Scarbrough, John Orr, W. B. Wortham, John L. Peeler.

"On Finance: Walter Tips, Chairman, A. J. Eilers, Ira H. Evans, John L. Peeler, Ed. Smith, R. E. White.

"On Transportation: P. J. Lawless, Chairman, A. N. Leitnaker, G. Waldo, W. R. Smith.

"On Decoration: R. M. Scarbrough, Chairman, Carl F. Drake, H. C. Patterson, F. E. Scoville, J. F. O'Connor, Walter Jacoby.

"On Entertainment of the Presidential Press Party: Louis J. Wortham, Chairman, John L. Peeler, A. G. Smoot, G. W. Macdonnell, Henry Hutchings.

"Executive Committee: R. E. White, Chairman, A. W. Terrell, Webster Flanagan, Walter Tips."

The *San Antonio Express* of May 5th said:

"William McKinley, President of the American Republic, and Commander-in-Chief of the Army and Navy of the Nation, was the guest of San Antonio Saturday, and his reception and entertainment here was a credit to the Alamo City. The people with one accord, and with but one purpose, turned out to do honor to the people's President and the distinguished party who accompany him on his tour from ocean to ocean.

"The scene in San Antonio was a grand one and one that will be long remembered by those who witnessed it. Men, women, and children of all colors and all nationalities thronged the streets to get a sight of the President. It was not a political but a public demonstration, and the character of it was a credit to the people of this city, which for the second time in its history has been honored by the presence of the head of the government.

"The decorations of the city were numerous and beautiful, but the grandest sight of all was the ten thousand school children on Travis Park Square, and it was a sight that gave particular pleasure to the presidential party. The arrangement of the reception and its manage-

ment were perfect and everything passed off without a hitch and without an unpleasant incident.

"Besides the people of San Antonio prominent in the reception of the President here, there came from the State capital Governor Jos. D. Sayers, Attorney General Charles K. Bell, United States District Judge E. R. Meek, United States Internal Revenue Collector Webster Flanagan, Hon. Jeff McLemore, Hon. Joe Lee Jameson, and Dr. B. M. Worsham."

The line of march included a visit to Fort Sam Houston, where the Second Battery Field Artillery, under Capt. Clermont L. Best, fired a President's salute. The main exercises were held in Alamo Plaza, where a grandstand had been erected. On the stand Governor Sayers was seated to the right and Mayor Marshall Hicks to the left of the President.

Mayor Hicks delivered the address of welcome. He described the successful struggle of Texas for independence in 1835-1836, the fall of the Alamo, the growth of the commonwealth, the quota of men furnished by San Antonio for the war with Spain, and in the course of his remarks said:

"At the exact spot upon which this stand is erected the eccentric but daring David Crockett yielded up his life. \* \* \* The spirit of its heroes lives in the heart of Texas. \* \* \* Upon this spot we welcome you and pledge on the behalf of our people, to the Union and its preservation the same loyalty, devotion, sacrifice that were exhibited by these patriotic Texans more than sixty-five years ago.

"The veterans of the Blue and the Gray are with us today, sitting side by side. They are one. We of the South love our past, revere its heroes, and cherish its memories, but, with loyal hearts and patriotic emotions, we hail the flag of the Union, and we welcome you here and bid you Godspeed in your journey across the continent."

The President's speech in reply was well received. "You," said he in conclusion, "have everything—strong men, fair women, and your fields are full of fruits waiting the uses and cultivation of men. I congratulate you upon this splendid heritage, and I join with your honorable mayor in saying that we stand today, one in heart, one in faith, one in liberty, one in destiny, the freest republic beneath the sun, a republic which the living and those who are to come after will pass along to the ages and to the centuries to come."

When the President finished, Governor Sayers arose and presented him, in behalf of the Business Men's Club, with a picture of the Alamo, painted by Verner White, a local artist.

The President said in reply: "The people of San Antonio could have selected nothing which I will prize more highly and cherish longer than this picture of this great historic place, and I beg you, in my name, to thank them all."

The Governor then turned to the people on the plaza and repeated the thanks of the President, which were received with enthusiastic applause.

This concluded the speech-making, and President McKinley and party visited the Alamo and entered their names on the visitors' register.

The President's train left for El Paso at a minute past the noon hour, and reached that place at 9 a. m. the following morning, Sunday, May 5th. The Mexican Congress being in session, President Diaz could not meet President McKinley at the border. He, however, dispatched Gen.

Juan Hernandez, commander of the second military zone of Chihuahua, to convey greeting and good wishes. Gov. Miguel Ahumada, Governor of Chihuahua, also called and paid his respects.

It being Sunday, the President requested the local committee not to arrange any program for the day. His wishes were respected and the military parade and official exercises were postponed until Monday.

The President and Mrs. McKinley and the members of the cabinet attended the Station Street Methodist church in the morning, and in the afternoon the party went out for a drive.

After dark a Mexican band brought from the City of Mexico by General Hernandez serenaded the President and Mrs. McKinley at the train. No horns or drums were used, and the soft, languorous Spanish airs strummed on guitars and mandolins in the cool of the evening were thoroughly enjoyed.

In Juarez, across the river from El Paso, a celebration was in progress in commemoration of the defeat of the French invaders at Puebla. May 5th. A bull fight was a feature of the occasion, but was not witnessed by President McKinley. An elaborate demonstration, reception, parade, and speech-making in honor of the President were characteristic features of the exercises Monday.

The ladies of the cabinet crossed the Rio Grande to Juarez, where they were tendered a banquet by Juan Ochoa, a prominent Mexican banker. Mrs. McKinley did not attend the breakfast, but enjoyed a short drive during the morning.

At noon the party resumed its journey for San Francisco.

The President's trip through Texas was a continuous ovation.

Not since the visit of Hon. Jefferson Davis, the beloved ex-President of the Confederacy, to Texas in 1875 has so much popular enthusiasm been displayed.

Birth and death are the concomitants of human life. The interval between, be it long or short, if made up of well-directed efforts and productive of substantial results, is sufficient.

The workman is gone. His work remains.

That the spirit of the dead ex-President has found rest and peace, and that the work he did in its final outcome may be productive of good, we may hope.

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### ALLISON MAYFIELD.

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Allison Mayfield was born on a farm near Overton, Rusk county, Texas, October 2, 1860. His parents were James and Sallie Mayfield. James Mayfield was a native of McMinn county, Tennessee. Sallie Mayfield (*née* Sallie Glenwire) was born in Pickens district, South Carolina. The father was raised in the mountains of East Tennessee. He was of Welsh descent, his ancestors having been citizens of the United States for several generations. The mother was of French-Irish extraction. A grandfather on her mother's side was a Major in the Revolutionary War. The families of each moved to Texas early in the fifties and settled in Rusk county.

The parents of the subject of this sketch were married in that county, in 1858. James Mayfield, the father, died in Rusk county, May 27, 1889; the mother, Sallie Mayfield, departed this life at Sherman September 24, 1901.

Allison Mayfield received his education in the common schools of Rusk county, at Henderson College, then under O. H. Cooper, and at the Sam Houston Normal Institute. In the Junior Class of that institution, Allison received the medal for the highest general average. At the end of the first half of the Senior term he held the highest average in the Senior Class, but a serious and protracted case of fever prevented his graduation. Young Mayfield then taught in the public schools of Rusk and Smith counties for about two years. After this he read law at Tyler in the office of Hon. Horace Chilton. He was admitted to the Tyler bar in the spring of 1883, after examination before Judge Jno. C. Robertson. Mr. Mayfield finally located at Sherman in September, 1884, where he lived and practiced law till he made his official residence in Austin. The young lawyer was elected city attorney of Sherman in 1888, and served one term; was appointed an office assistant to Attorney General Chas. A. Culberson, December 1, 1893; resigned March, 1894. Mr. Mayfield was appointed Secretary of State by Governor Culberson January 15, 1895. This office he resigned at the close of one term (January, 1897) to qualify as Railroad Commissioner.

Mr. Mayfield was one of the three Railroad Commissioners nominated by the Democratic State Convention at Fort Worth, and elected at the general election held November, 1896. In the drawing for the terms on the Railroad Commission the two years' term fell to Mr. Mayfield. He was nominated for a full term at the State Convention held at Galveston, in August, 1898, by acclamation, his opponent having retired from the race. His election followed in November, 1898, for a term of six years beginning January, 1899.

Mr. Mayfield has taken an active interest in politics, having been a delegate to nearly all the Democratic State Conventions since 1882; was a member of the Committee on Platform at the Dallas Convention in August, 1894, representing Cooke and Grayson counties on the committee; was in charge of the campaign in Grayson county during the contest of 1894; has taken no part in campaigns except locally, in which he always supported the Democratic ticket.

While not a church member, Mr. Mayfield is a moral man and a zealous member of the Knights of Pythias, to which he has belonged since July, 1883. He was married in Sherman, on June 4, 1888, to Miss Lula Chapman. This marriage has been blessed with one child, a daughter, twelve years of age.

Mr. Mayfield is an untiring worker on the Railroad Commission, and when differing from his colleagues has the courage of his convictions.

## METHODIST EPISCOPAL CHURCH, SOUTH.

BY REV. D. W. GARDNER, TEXAS CONFERENCE.

This church has five conferences in Texas, besides the Trans-Pecos region (included in the Conference of New Mexico), and the Mission Conference on the Southwest.

### **Texas Conference.**

Texas Conference was organized in 1840. It has a membership of 21,389; 195 church buildings; 95 traveling preachers; 88 local preachers; 186 Sunday schools, with 12,576 scholars.

### **West Texas Conference.**

West Texas Conference was organized in 1859. It has 17,043 members; 160 church buildings; 90 traveling preachers; 70 local preachers; 155 Sunday schools, with 9946 scholars.

### **East Texas Conference.**

East Texas Conference was organized in 1845. It has 36,865 members; 322 church buildings; 105 traveling preachers; 131 local preachers; 269 Sunday schools, with 14,904 scholars.

### **North Texas Conference.**

North Texas Conference was organized in 1866. It has 51,102 members; 366 church buildings; 175 traveling preachers; 197 local preachers; 364 Sunday schools, with 25,236 scholars.

### **Northwest Texas Conference.**

Northwest Texas Conference was organized in 1866. It has 71,341 members; 470 church buildings; 265 traveling preachers; 373 local preachers; 547 Sunday schools, with 37,885 scholars.

### **Institutions.**

Southwestern University, at Georgetown; North Texas Female College, at Sherman; an Orphanage at Waco; *The Texas Christian Advocate* (newspaper), at Dallas; and a branch publishing house at Dallas.

### **History.**

As early as 1818, while Spanish rule prevailed, Methodist preachers crossed Red River from the United States and proclaimed the gospel in what is now known as Red River county. This was before the advent of the Austins. The songs of Wesley were heard in Austin's colony in 1824, and Methodist preaching was occasionally heard, though without the sanction of law.

W. C. Crawford came to Texas from the Mississippi Conference in 1836 in time to be one of the signers of our declaration of independence. Methodist churches at this time were being organized all over Texas, a few in 1834-35. The Republic of Texas first constituted a mission in 1837; but in 1840, Texas became a conference, which first met at Rutersville.

The M. E. Church, South, is the largest and wealthiest body among the Protestants in Texas, and it may be added the most zealous. Able representatives of this church are found in all the cities, while the circuit riders carry the gospel to the remotest settlements in the State.

## MISSIONS OF THE SAN ANTONIO VALLEY.

BY ADINA DE ZAVALA.

There were missionaries in Texas before the Pilgrims landed at Plymouth. In 1544, Father Andrew de Olmos<sup>1</sup> came alone to Texas to the wild tribes then called Chichimecas and was very successful in his missionary labors.

Father Damian Manzanet had heard in Spain of the pleadings of the venerable Maria de Agreda, that missionaries be sent to visit and save the tribes eastward from the Gran Quivera, among whom were the Theas or Tejas Indians. He was filled with zeal and longing for their conversion and straightway set out from Spain, going to Mission Caldera, in the province of Coahuila. To use his own words, "With the intention of seeing whether I could make investigations or obtain information about the interior of the country to the north and northeast, on account of facts gathered from a letter now in my possession, which had been given to Father Antonio Linaz (founder of the Apostolic College of Queretaro). This letter treats of what the Venerable Maria de Agreda made known in her convent to the Custodian of New Mexico, Father Alonzo de Benavides."<sup>2</sup>

Two expeditions having entered Texas without finding the Bay of Espiritu Santo or the French who were said to have settled on Spanish territory, the report was regarded as unfounded. Father Manzanet, however, anxious to further movement into that region, questioned the Indians coming thence and discovered that there were white men in the interior. Before he could persuade the authorities to undertake another expedition he was compelled to produce proof, which was a Frenchman found by his faithful Indian servant, Juan.

The expedition under Alonzo de Leon left Coahuila March 26, 1689, accompanied by Father Manzanet and his two Indian guides, Juan and Quems. The bay of Espiritu Santo and the French fort were found, and the Governor of the Texas Indians interviewed by Father Manzanet and promised missionaries. The report made to the Viceroy as to the beauty, fertility and desirability of the country was so favorable that it was determined to permanently occupy it, and to assist the Franciscans in their educational and religious work, thus civilizing and subjecting the Indian tribes and firmly establishing Spain's rights to these regions to which she had laid just claim.

March 28, 1690, DeLeon again set out for Texas, Father Manzanet accompanying him to fulfill the promise to the Governor of the Tejas. The Indians came out to welcome them and soon there were erected a dwelling for the fathers and a church. The troops departed, leaving the Franciscan Fathers with the Tejas. This mission was located far in the interior of Texas "not a great distance from the present town of Nacog-

<sup>1</sup>Edmond J. P. Schmitt, *A Catalogue of Franciscan Missionaries in Texas*, p. 5. <sup>2</sup>Shea, *History of the Catholic Missions Among the Indian Tribes of the United States*, pp. 45-46.

<sup>3</sup>*Descubrimiento de la Bahia del Espiritu Santo*, in *Quarterly of the Texas State Historical Association*, Vol. II, No. 4.

doches,"<sup>1</sup> and was called San Francisco de los Tejas. In 1730,<sup>2</sup> it was transferred to the San Antonio river, nine miles below the presidio of San Antonio de Bexar, and is now known as San Francisco de la Espada. The front of the church is all that is left of the original structure. The boundaries of the mission square are distinct, the well-preserved baluarte or bastion, with its portholes and its many imprints of cannon balls made in the long ago, the well, and portions of the convent are still to be seen. This square was the first camping ground of the Texas army of independence. The Rev. Francis Bouchu, who came to Texas in 1845, with Bishop Odin, resides there.

The Mission of San Francisco Solano, which was founded in the Valley of the Circumcision January 1, 1700,<sup>3</sup> after being twice removed, was transferred to San Antonio. The first baptism is recorded July 8, 1718. This mission occupied several sites about the present city of San Antonio. The corner-stone of the Alamo was laid May 8, 1744. In 1785, the company of San Carlos de Parras, compelled to seek shelter from the troublesome Comanches, was quartered in portions of the Alamo square and out buildings. The Indians belonging to this mission had learned the Spanish language and customs, contracted alliances with the Spanish and other races, and were no longer "Indios reducidos," but citizens of the Pueblo, and a mission was no longer needed. About this time the Fathers at the mission seem to have served as parish priests and army chaplains. In the records may be seen the signature of the Venerable Anthony Margil, the founder of most of the missions of Texas, and that of the friend of so many Nacogdoches patriots, Antonio Diaz de Leon, who was assassinated near San Augustine in 1834.

In 1790, the people from the Mission and Presidio of Adaes, on the eastern frontier across the Sabine, were brought in and settled about this mission, and land, "as much as four pecks of seed corn will cover" was given to each with fee simple title.

Now the scene changes, grim-visaged war stalks in, and for years San Antonio is almost deserted, for life and property are no longer safe during the many revolutions and uprisings of republicans, royalists, adventurers and Indians. The Alamo mission is almost altogether used as a garrison for troops.

The heroic strife of March 6, 1836, between the Texans and Mexicans, took place within the sacred precincts of the Alamo and immortalized it as the Thermopylae of the New World. On the Alamo Plaza in San Antonio, are what remains of this mission—the convent and church. The latter is the property of the State, though the city appoints and pays the custodian. The De Zavala Chapter of the Daughters of the Republic of Texas have some very interesting relics on exhibition there and hope in time to make of it a Museum of Texas History and Hall of Fame.

Mission de la Purissima Concepcion de Acuña, founded in the northeast among the Asinais Indians by Father Margil, and in 1730 removed

<sup>1</sup>Editor, *Quarterly of the Texas State Historical Association*, Vol. II, No. 4, p. 253.

<sup>2</sup>*Informe del Virey Conde de Revilla-Gigedo*, Art. 197.

<sup>3</sup>Schmitt, Edmond J. P., *A Catalogue of Franciscan Missionaries in Texas; Mission San Antonio de Valero or del Alamo*. Portillo, *Apuntes para la Historia Antigua de Coahuila y Texas*, p. 271. Church Records at San Antonio, Parisot and Smith. *History of the Catholic Church in the Diocese of San Antonio, Texas*, p. 5.



to the present site two miles below San Antonio, is the best preserved of the missions. The corner-stone of the present building was laid March 5, 1731, and was built like the others, for worship, scholastic purposes and for defence. The church fronts due west, is built in the form of a cross, and is grand and imposing. The arched stone roof rises over the altar, forming a beautiful Moorish dome. The design of this church is identical with that of the Alamo. The square and barracks have entirely disappeared, but the part of the arcaded convent remaining is interesting. The lands belonging to this mission were partitioned among its Indian dependents April 10, 1794, and but few acres remain to the church. On October 28, 1835, this was the scene of an engagement between the Texans and Mexicans, in which the former, though far outnumbered, were victorious. The Texan troops were quartered here for a while at this time, and in 1849 the United States troops occupied it.

San José de Aguayo, the grandest and most beautiful of the Texas missions, four miles below San Antonio, was founded in 1720. Its celebrated carvings were made by the artist Huicar, sent from Spain for that purpose, and are worth traveling miles to see. As Corner<sup>1</sup> says: "The hand that carved the wonderful facade at the main entrance of the church, the doorway, the window and pillar capitals of the smaller chapel was one of marvelous cunning. The facade is rich to repletion with the most exquisite carvings. Figures of virgins and saints with drapery that looks like drapery, cherubs, heads, sacred hearts, ornate pedestals and recesses with their conch-like canopies, and cornices wonderful. The south window of the Baptistry is considered by good judges to be the finest gem of architectural ornamentation existing in America today." These establishments were suppressed in 1813 by the Spanish government, and the revolutions which followed widely scattered the original inhabitants. The walled square of this mission has entirely disappeared. The roof and one side of the great church has fallen, but the beautiful front, the graceful arcades of the convent, tower, chapel with its triple domed Moorish roof, and the large granary with flying buttresses and stone arched roof, still remain. The beautiful carvings on this mission have been ruined, and the entire structure has been more destroyed by relic hunters and other vandals than by all the accidents of war or the work of time and the elements. Kendall says, in 1842, "though the Texan troops were quartered here the stone carvings have not been injured." The unique circular tower built for the winding stairway has recently fallen. The De Zavala Chapter, Daughters of the Republic of Texas, are endeavoring to raise funds to restore it, replacing the immense solid steps of heart-oak.

Mission San Juan de Capistrano, six miles below San Antonio, was founded also among the Asinias Indians and transferred in 1730. Its corner-stone was laid March 5, 1731, on the day of the completion of San José. It is now roofless, but its square, well, and large gates are still there, and portions of the convent with circular windows. The chapel was small and wonderfully frescoed in gorgeous colors, of which few traces remain. It is fast falling to decay. Near this mission is the old stone aqueduct, built to conduct water over the Piedra creek to the lands and Mission of San Francisco de la Espada. The old acequia is a feat of engineering skill and the time-worn, fern-covered aqueduct speaks eloquently of the long departed, self-sacrificing Franciscan.

<sup>1</sup>Corner, *San Antonio de Bezar*, p. 17.

The Mission or Presidio de la Bahia del Espiritu Santo, at old Goliad, said to have been twice removed, was founded in 1720. There are ruins of several missions on the San Antonio river near it, which were dependent on the Presidio de la Bahia, or sites of transferred missions. This mission was of considerable importance in its day. Situated on an eminence commanding all the surrounding hills and valleys, the site is magnificent and picturesque. The church is built in the form of a cross with a tower at the right of the foot of the cross. The top of the tower has disappeared and in a wooden substitute hangs a huge bell bearing date of 1748. The roof is of stone and arched. The immense, massive walled square, with its unique bastioned tower in each corner, is significant of strength and cannot fail to impress every visitor. Only portions of the barracks and out buildings are standing, but it is yet imposing and must have been an impregnable fortress in its palmy days. Here were massacred Fannin and his men—and here they were burned and their ashes buried.

Across the river from La Bahia, still partly standing, is the old mission built among the Aranama Indians.<sup>1</sup> These Indians were quite civilized; they cultivated the double bends or S fields on the river, manufactured cloth, water jars and other pottery, and raised much live stock.

These missions were all conducted on the usual plan. As Shea says, "Each station having generally two Fathers and a lay brother, several families of civilized Indians from Mexico, well supplied with all necessary stock and implements, and a small guard of soldiers for the protection of the little colony.

"One Father attended to spiritual affairs exclusively, the other to the civilizing of the Indians induced to join the mission, teaching them agriculture and the various arts of life. It was his task, too, to visit the neighboring tribes, and by preaching gain new members for the colony. When an Indian joined the mission he was instructed, and his labor for a time went to the common stock, from which he drew food, clothing, and other necessities. When, after a few years' probation, he was deemed capable of self-management, a field was allotted to him, and a house raised for him. If not married he was urged to select a wife from the Christian women. In this way the mission became surrounded by a village, and, as the Indians learned Spanish, and frequently intermarried with Spaniards, they were soon confounded with them."

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### W. L. MOODY, GALVESTON.

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A history of the Galveston Cotton Exchange and Board of Trade, published in 1899 under the auspices of that body, contains the following concerning Col. William Lewis Moody:

"When one seeks for the secret of Galveston's success as a city and as a great seaport, for the factor that has caused its financial and commercial prominence, the place to go is the membership roll of the Exchange. The personnel of the Exchange membership tells the story in its entirety. We find there names inseparable and synonymous with every undertaking which has been inaugurated in Galveston for the past

<sup>1</sup>Linn, *Reminiscences of Fifty Years in Texas*.



COL. W. L. MOODY



quarter of a century. There are not so many left now as a few years ago, but there are, fortunately, quite a number who have been engaged in the good work from its inception, and who are today as active and progressive, as clear-minded and discriminating as in the early days when they laid the foundation for all the greatness they have been spared to enjoy.

"There being twenty-five members, out of a present membership of one hundred and thirty-two, who for over twenty years have been regular and active members of the Cotton Exchange, it would perhaps be unjust to single any individual out from among them and speak of him as the Nestor of the Exchange. And yet, when one looks over the records and finds what Col. W. L. Moody has done toward creating and developing the Exchange, one feels an almost irresistible inclination to call him the Nestor.

"Col. Moody was the presiding officer at the initial meeting of the Exchange—at its birth. He may be said to have called the organization into being, for it was on his motion that the old Factors' Association adjourned *sine die*, and that the initial step was taken towards organizing the Exchange, and from that moment until now he has given to the Exchange and the interests it represents the same close attention and unflagging interest which he has given to his own affairs.

"One of the leading characteristics of the man is that whatever he attempts to do he considers of sufficient importance to do well and thoroughly. He cannot be drawn into an undertaking which he considers of no moment, but once having placed his shoulder to the wheel he does not hesitate nor look back, but pushes steadily forward until the goal is attained. He is far from self-assertive; has never sought office or honors at the hands of his associates, and this fact goes far to emphasize the esteem and recognition of his worth shown by the members in electing him to the Presidency of the Exchange oftener and more continuously than any other man who has yet enjoyed that high honor.

"Col. Moody was elected President in 1877-78, 1878-79, 1879-80, 1880-81, and 1881-82. During the next two years there was another President, but in 1884-85 Col. Moody was again chosen, and held the office continuously until the end of 1888. Last year he was again elected, and the Exchange now enjoys the advantage of his superb executive ability.

"What Col. Moody has been to the Exchange and what he has done for it are shown in the history of the Exchange itself; what he proposes to do further the future will reveal.

"Those who know Col. Moody only by reputation, who have heard of him as a gallant soldier during our late Civil War, as a modest merchant after the close of the war, then as a commission merchant and cotton factor, then as a commission merchant, cotton factor and banker; then as a commission merchant, cotton factor, banker and compress owner, always going onward and upward, extending and fully developing his numerous interests; those who know only of these things from the lips of others might naturally conclude that Col. Moody is a very old man, both in years and nature. No greater mistake could be made. He is old in years, but has the mind and bearing of a man in the prime of life. He gives personal attention and management to all his various interests, but he has them so well organized, so well in hand, that there is never a blunder, never a hitch, nor friction. Interests and responsi-

bilities which would have borne down nine men out of ten sit lightly on the Colonel's shoulders, and today a stranger meeting him would conclude that he was merely a moderately prosperous business man, possibly a retired merchant, who had made up his mind to spend his declining days in peace and quiet.

"The Colonel has had a busy and active life, but he bears no outward evidence of it. He was born in Essex county, Va., May 19, 1828. When he was two years old his parents moved to Chesterfield county, Va., where he was reared and received his preliminary education. When fitted for college he entered that famous institution of learning, the University of Virginia, graduating at the end of his third year there. Thus splendidly equipped for the battle of life, Col. Moody came to Texas at the age of twenty-four (in 1852), and settled in Freestone county at Fairfield, where he began the practice of law. His health failed, however, and he turned to merchandising. When our Civil War broke out he abandoned everything, raised a company of volunteers<sup>1</sup> in Freestone county, and tendered his services to the Confederate government. His services were accepted and his company, together with other Texas troops, was ordered to Hopkinsville, Ky., where the Seventh Texas Regiment was organized. His regiment was ordered to Fort Donelson, and arrived there just in time for the great battle, which resulted in the capture of the Confederate forces by the Federals. Col. Moody was among the prisoners, and was sent to Camp Douglas, thence to Camp Chase, and finally to Johnson's Island, in Lake Erie. During September, 1862, the prisoners were exchanged and the Seventh Texas was sent to Clinton, Miss., to prepare for active service again. Some deaths and some promotions among the officers having occurred, Capt. Moody was made Lieutenant Colonel of the regiment, which was assigned to duty in Gen. Gregg's brigade at Port Hudson, La. Afterwards the Seventh Texas was sent to Mississippi, where it saw much active service and suffered severely, notably, at the battle of Raymond, where it lost 158 men out of 306. Soon after, at Jackson, on July 10, Col. Moody was badly wounded, so seriously that he was incapacitated for active service in the field. He did not retire, however, and the following spring was promoted to full Colonel and assigned to post duty at Austin, where he remained to the close of the war.

"Col. Moody entered the Confederate army simply through patriotic motives. He was a conscientious soldier, and discharged every duty to the best of his ability. How well he did his duty is attested by the endorsement given him by the old soldiers of his command, who named the Camp of Confederate Veterans at Fairfield after their old commander—W. L. Moody. That is an honor bestowed on few, if any, living commanders by their surviving soldiers."

Ex-Gov. Lubbock, in his "Six Decades in Texas," tells the following anecdote:

"When Col. W. L. Moody, of Gregg's regiment, after being severely wounded, was returning home from the east side of the Mississippi, he, with a number of companions, drove up to a farm house near Shreveport, Louisiana, hailed the owner, and inquired if he could get some fodder to feed his mules. The farmer, seeing they were soldiers, and

<sup>1</sup>The company elected him Captain, was mustered into service at Marshall, Texas, October 2, 1861, and later became Company G, of Seventh Texas Infantry.

fearing he would have to supply fodder without remuneration, commenced at once pleading poverty, that he was a poor man and had but little fodder.

"Col. Moody, in his quiet preacher-like way, said to him: 'My friend, I knew you were poor, or I would not have applied to you. The poor man, always kind and charitable, expects to receive his reward in heaven.'

"'Heaven, heaven?' the man replied, 'I dunno about that.'

"'Why,' said the Colonel, 'don't you believe there is a heaven?'

"'Well, I dunno,' was the reply.

"'Do you not believe, then,' asked the Colonel, sharply and severely, 'there is a hell?'

"'Oh, yes; *I know there is a hell*; there is just as much needcessity for a hell *as for a jail in Shreveport*.' (Shreveport was a wild place in those days.)

"This reply greatly excited the risibility of the home-going Confederates, and they greeted it with a generous guffaw, produced money, bought what fodder they needed for their horses, and resumed their journey.

"On my becoming a citizen of Galveston in 1867 and engaging in a small commission business there," continues Gov. Lubbock, "Col. Moody became my friend, and much of my time was spent with him and his family. I soon became much attached to him. I considered him a model business man, full of intelligence, high-toned, and upright in all of his business relations. As a result of his methods of fair dealing, his firm has always enjoyed the patronage and confidence of the planters, and for years has perhaps been the recipient of more business directly from them than any other in the State. He and I have always been in harmony politically, and stood shoulder to shoulder on leading questions, while many of my other friends have drifted from their democratic moorings. Up to this good hour our friendship continues unbroken.

"My early formed estimate of his character remains unchanged; I know of none whom I more sincerely respect. I have been a witness to his many virtues, and have seen them displayed in nearly every variety of circumstance incident to political, business and social life, in peace and war, through a period of nearly half a century, and never found him wanting in anything to be expected of a gentleman and patriot."

Col. Moody was the eighth child born to Jameson and Mrs. Mary Susan (Lankford) Moody. His father was a gallant United States volunteer in the war of 1812, and his grandfathers (Lewis Moody, of Essex county, Va., and William Lankford, of Chesterfield county, Va.), served with distinction in the Continental Army in the American Revolution.

Until the war between the States Col. Moody was engaged successfully in merchandising at Fairfield, Texas, with his brothers, David J. and Leroy F. Moody. After the war he closed out the mercantile business at Fairfield and moved to Galveston, where, with one of his brothers, he embarked in the commission business under the firm name of W. L. and L. F. Moody. In the following season F. M. Bradley, of Freestone county, was admitted as a partner, and the style of the firm changed to Moody, Bradley & Co.

L. F. Moody and F. M. Bradley retired in 1871, and E. S. Jemison,

of Galveston, was admitted under the firm name of Moody & Jemison, and a branch house started in New York in 1874, with Col. Jemison in charge. This co-partnership, so far as concerned the New York house, was dissolved in 1877, and in 1881 Col. Jemison also retired from the Galveston house to devote his attention to his New York interests, and W. L. Moody, Jr., and F. B. Moody (sons of Col. Moody) were admitted as partners, under the firm name of W. L. Moody & Co., a firm that has since conducted one of the largest banking and cotton factorage businesses in the South.

Col. Moody was a member of the Legislature in 1874, and figured prominently as a leader in the action taken that resulted in seating Richard Coke in the Governor's chair (see House Journals, Fourteenth Legislature), and before the end of the session was appointed by the Governor financial agent to effect the sale of State bonds issued for the purpose of restoring the public credit. Resigning his seat, he went to New York, where he successfully negotiated the sale of \$2,000,000 in Texas bonds, a measure that placed the fiscal affairs of the State on a firm and healthy basis.

As chairman of the Deep Water Committee at Galveston, he spent the winter of 1882-3 in Washington and performed the pioneer work that in later years eventuated in adequate appropriations for deep water improvements at Galveston.

He was one of the early promoters of the Gulf, Colorado & Santa Fe Railway, and served as one of the directors of the road until its sale to the Atchison, Topeka & Santa Fe.

Col. Moody married, January 19, 1860, Miss Pherabe Elizabeth Bradley, of Freestone county, the accomplished and lovely daughter of Francis Meriwether Bradley and Mrs. Tillah Pherabe (Goldsby) Bradley, formerly of Oglethorpe county, Georgia, and later of Dallas county, Alabama.

Mrs. Moody was born in Dallas county, Alabama, December 1, 1839. Of the children of this union the following are living: W. L. Moody, Jr., Frank B. Moody, and Mrs. Mary Emily Hutchings; and the following deceased: Vic Moody, who was born November 24, 1860, and died in Freestone county June 20, 1863; an infant, not named, and Lizzie G. Moody, who was born in February, 1877, and died in New York July 15, 1877.

Col. Moody is connected with nearly every important enterprise in Galveston. In shaping policies, devising means, and executing plans for the public good, his aid is always solicited and secured, and deemed indispensable.

Glancing back over his busy and honorable career, containing no idle days and made up of worthy efforts and solid achievements, the mind is impressed with the truth that there is an abundance of work in the world for those who will do it, and that only those who labor are worthy to be considered benefactors while living and will be long remembered as such when they have passed from the busy haunts of men to the wider life that, it is the hope of mortality, lies beyond.



## NATIONAL BANKS.

A publication issued by the Comptroller of the Currency, U. S. Treasury Department, January 18, 1902, contains the following information:

Number of national banks in operation in Texas, 290; loans and discounts, \$66,664,723.62; over drafts, \$15,240,414.87; U. S. bonds to secure circulation, \$8,666,960; U. S. bonds to secure deposits, \$1,142,000; U. S. bonds on hand, \$7,680; premium on U. S. bonds, \$261,933.77; stocks, judgments, securities, etc., \$1,387,624.42; banking house furniture and fixtures, \$2,393,815.83; other real estate and mortgages owned, \$702,364.72; due from other national banks, \$9,176,377.50; due from State and private banks and bankers, \$2,144,148.54; due from approved reserve agents, \$9,343,993.19; internal revenue stamps, \$25,554.21; checks and other cash items, \$809,510.71; exchanges for clearing house, \$445,070.94; notes of other national banks, \$765,029; fractional paper currency, nickels and cents \$54,479.61; specie, \$5,057,158.75; legal tender notes, \$3,321,264; five per cent, redemption fund, \$425,233.88; due from U. S. Treasurer, \$12,546.11; aggregate resources, \$128,047,883.67; capital stock paid in, \$21,220,020; surplus fund, \$5,727,377.75; undivided profits, less expenses, \$5,566,418.31; national bank notes outstanding, \$8,584,125; due to other national banks, \$6,778,719.81; due to State and private banks and bankers, \$1,586,777.57; due to trust companies and savings banks, \$11,833.59; due to approved reserve agents, \$352,334.73; dividends unpaid, \$26,774.34; individual deposits, \$72,770,398.29; U. S. deposits, \$1,051,202.06; deposits of U. S. disbursing officers, \$96,005.59; notes and bills rediscounted, \$1,254,093.02; bills payable, \$2,940,225; other liabilities, \$81,578.61; reserve required, \$10,910,142.05; reserve held, \$18,147,649.82; cash reserve required, \$4,193,963.27; cash reserve held, \$8,378,422.75.

## NAVY, SECRETARIES OF.

Under President *Ad Interim* David G. Burnet: Robert Potter. Under President Sam Houston (first term): S. Rhoads Fisher and William M. Shepperd. Under President M. B. Lamar: Memucan Hunt (appointed December 13, 1838; resigned May 1, 1839), and Louis P. Cooke (appointed May 2, 1839). [Offices of Secretary of War and of the Navy consolidated under succeeding administrations. See War, Secretaries of.]

## GEORGE D. NEAL, NAVASOTA,

State Senator from the Fifteenth District (Leon, Madison, Grimes, Montgomery, Walker, San Jacinto and Polk counties), was born at Amelia Court House, Virginia, October 7, 1853. His parents, Dr. Thomas W. and Mrs. Elizabeth C. (Haskins) Neal, came to Texas from Virginia in 1866 and settled at Washington, Texas, where his father resided and practiced medicine for many years, and died in August, 1884. His mother died there in 1873.

His father was born in North Carolina, and reared near Richmond, Virginia; his mother was born in Chesterfield county, Virginia.

Senator Neal received a good education in the common schools and at Baylor University; studied a year at the University of Texas; was for a while deputy in the office of the county clerk of Austin county; read law; was admitted to the bar at Belleville in August, 1878; moved to Navasota, Grimes county, in 1881; was county judge of Grimes county from 1884 to 1886; was city attorney of Navasota from 1888 to 1896; was nominated by the democracy and elected to the State Senate in 1896 to serve the unexpired term of Senator W. P. McComb, deceased, at the expiration of which he was re-elected for a full term of four years. His service has extended through the sessions of the Twenty-fifth, Twenty-sixth and Twenty-seventh Legislatures, in which he was chairman and member of important committees, took high rank as a man of superior ability, and identified himself in a leading capacity with the shaping and enactment of important legislation. During the Second Called Session of the Twenty-seventh Legislature he was President *pro tem.* of the Senate and discharged the duties of that important position with skill and fairness.

He married Miss Fannie C. Brooks at Washington, Texas, October 7, 1880, and has two children, Maud E. and Georgia E. He and his family are members of the Presbyterian Church. He is also a member of the Masonic, A. O. U. W., K. of P., and K. of H. fraternities.

He is actively engaged in the practice of law at Navasota as a member of the firm of Neal & Boon, and is considered one of the leading lawyers of the Central Texas bar.<sup>1</sup>

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### NEW YORK VISITORS.

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Upon the reception of the invitation to visit Texas extended to the members of those bodies by Gov. Sayers and the Twenty-seventh Legislature, the Merchants' Association of New York City appointed a committee of thirty representative business men, with Alvah H. Trowbridge (president of the Ninth National Bank and president of the National Bankers' Association of the United States) as chairman, and the New York Chamber of Commerce appointed a committee of nine, with Chas. M. Jessup (vice-president of the New York Securities Company) as chairman, to make the trip.

The visitors were met at New Orleans by Edwin Chamberlain, of San Antonio, chairman of the Texas reception committee; Louis J. Wortham, of Austin, secretary of the committee; Hon. R. E. Prince, of Corsicana, Speaker of the Texas House of Representatives (representing the Legislature and Gov. Sayers); J. M. Pearson, of McKinney; S. P. Skinner, of Waxahachie; F. F. Downs, of Temple, president of the Texas Bankers' Association; E. H. R. Green, president of the Texas Midland Railroad; B. B. Paddock, of Fort Worth, and W. A. Williams, of Greenville. The party was later joined by W. C. Hargrove, of Pittsburg; E. J. Fry, of Marshall, and other members of the Reception Committee.

The visitors reached Orange at 7 a. m., Tuesday, April 23, 1901, and were royally entertained. They later proceeded to Beaumont, the oil fields at Gladys City, Galveston and La Porte, and then steamed forth on their elegant special to explore the interior of Texas. They penetrated to every part of the State, east, south, west and north; San

<sup>1</sup>He has been unanimously nominated for Lieutenant Governor by the recent (July, 1902) State Democratic Convention, at Galveston—a high and deserved honor.

Antonio, the mineral region about Llano, the cattle area of the Panhandle, the cotton, wheat and corn belt of the black waxy section, everywhere that knowledge was to be gained of the present commercial and industrial status and future possibilities of Texas.

Notable features of the journey were a trip past the battlefield of San Jacinto, a clam and oyster bake at La Porte, a visit to the Alamo, a reception by the Governor at Austin, a game dinner in a beautiful grove at Sulphur Springs, and a banquet at the Oriental Hotel at Dallas that could not have been surpassed in magnificence.

Upon their arrival at the Union depot in Austin, April 27th, the party was driven in carriages directly to the State capitol, where Gov. Sayers welcomed them in his reception room. Nearly every member of the administration was present, including Hon. John H. Reagan, chairman of the Texas Railroad Commission. Among other distinguished gentlemen present were Hon. A. W. Terrell, ex-minister to Turkey; Hon. F. R. Lubbock, ex-Governor; Hon. Guy M. Bryan, and members of the Legislature. Leaving the capitol the visitors were driven to the residence of Mr. John Bremond, whose guests they were at luncheon. They were later taken for a drive over the city, and at night were given an informal banquet at the Driskill.

They were the recipients of unbounded hospitality, and no effort was spared to render their trip pleasant and profitable.

The Chamber of Commerce of New York, December 5, 1901, adopted resolutions thanking its committee for visiting Texas, and thanking Gov. Sayers and the people of Texas for the hospitality shown the committee. The Merchants' Association passed similar resolutions.

The reports submitted by the committees expressed due appreciation of courtesies extended and belief in the future possibilities and outcome of the State. While criticising somewhat severely the anti-trust statutes of the State, they expressed the opinion that capital seeking legitimate investment, could be as safely employed in Texas as elsewhere.

Dr. Cassius M. Wicker, of New York City, a member of the Chamber of Commerce and Merchants' Association of that city, came from New Orleans (whither he had been called by private business) to Austin December 16, 1901, for the express purpose of presenting Gov. Sayers with a printed copy of the report made by the Merchants' Association committee. It comprises one hundred and fifty pages, is illustrated with maps, and contains much data that sets forth in a conservative, business way the opportunities Texas offers to labor, enterprise and capital. The report of the Chamber of Commerce committee is said to be equally interesting and exhaustive.

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## NORMALS.

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### **Prairie View State Normal and Industrial College of Texas.**

E. L. Blackshear, Principal; salary \$1,400 per annum.

The general appropriation bill passed at the Regular Session of the Twenty-seventh Legislature contained the following appropriations for this institution, for the six months ending August 31, 1901: "General repairs and painting, \$4,082.33, and repairing and removing Kirby house, \$280"; and the general appropriation bill passed at the Second Called Session, the following for the two years ending August 31, 1903: "To defray two-thirds of the expense of 159 State students, the other one-

third of said expense to be borne and paid by the students, said students to be appointed by the members of the Legislature as follows: One by each Senator and one by each Representative; provided, the students appointed hereunder shall supersede and be in place of the forty-six State students provided for in Article 3886 of the Revised Statutes of Texas—\$15,000 per year, receipts from sales of farm and dairy products, surplus stock and worn out property, to be accounted for as other State funds; to maintain the agricultural and mechanical department, \$2,500 per year; to maintain girls' industrial department, \$500 per year; for general repairs and painting houses, \$2,500 per year; for purchasing graded cows, \$1,000; for books, stationery, printing, and postage, \$250 for first year and \$100 for second; for library, \$350 per year; to build three cottages for professors, \$2,700; for improvement of grounds and grading road from College to railroad station, \$300; for mattress and broom factory, \$500 per year."

An act was also passed by the Twenty-seventh Legislature, and approved March 28, 1901, appropriating \$2,500 for the first year and \$1,800 for the second year, for the inauguration of a four years' college course of classical and scientific studies, to which graduates of the normal course shall be admitted without examination and to which others may be admitted after having passed a satisfactory examination.

The institution is located in Waller county, six miles east of Hempstead and three miles from Prairie View Station, on the main line of the Houston & Texas Central Railway.

On the grounds, which are 1500 acres in extent, are situated the following substantial and attractive brick buildings: Academic Hall, containing twelve class rooms, a large assembly room and a chapel; a three-story dormitory for girls, containing thirty-six sleeping apartments, nine halls, nine bath rooms, nine trunk closets and seventy-two wardrobe closets (two to each bed room); a two-story mess hall, with dining room, kitchen, bakery, store-room and refrigerator on the first floor, and draughting room of mechanical department and blacksmith, carpenter, laundry, engine and boiler rooms on the second floor; and a three-story dormitory (twenty-nine rooms) for boys. In addition to the brick buildings there are on the grounds five two-story frame buildings, used as dormitories.

A great deal of money has been spent in planting and cultivating trees and shrubbery, but lack of water and unfavorableness of soil have so far prevented satisfactory results. A further effort, however, is being made that, it is believed, will prove more successful.

The College has long-distance telephone connection with all parts of the State and local telephone connection with the Hempstead circuit.

Eighteen teachers are employed, including professors and assistants.

The institution (under a different name) opened in 1878 with 14 students; the attendance in 1901 was 275. Total number of graduates from 1878 to the present time, 256.

A pay student, so called, pays the entire cost of his maintenance, which includes board, lodging, fuel, lights and washing, a total of \$90 per session of nine months. This is exclusive of a small rent charge for the use of text-books, varying with the text-books used and care taken of them, and exclusive, also, of a \$5.00 matriculation fee that is required of all students.

State students (appointed by State Senators and Representatives) pay

only \$30 toward maintenance, making a scholarship have an actual cash value of \$60.

One hundred and fifty-nine State students and about an equal number of pay students are enrolled for the session of 1901-1902.

Boys at Prairie View take especial interest in mechanical instruction and soon learn to do good work at bench, lathe and forge; and girls in sewing, dress-cutting and millinery, in which many have become proficient.

The demand for Prairie View graduates as teachers is greater than the supply. These graduates are making good citizens and helping to establish higher ideals and better modes of living for the negroes in Texas.

An act of the Legislature, approved August 14, 1876, appropriated \$20,000 for the establishment of an Agricultural College for Colored Youths, the institution to be under the control of the Board of Directors of the Agricultural and Mechanical College (for white students—a branch of the University of Texas) established by an act of the Legislature approved April 17, 1871. Under this statute the institution began its existence as the Alta Vista Agricultural College.

Under an act approved April 19, 1879, it was converted into a State normal school and its name changed to Prairie View Normal School.

Under an act approved June 6, 1899, the name was changed to Prairie View State Normal and Industrial College.

Liberal appropriations have been made out of the general revenue by succeeding Legislatures for its support and development, and a fair proportion of money derived from the United States government has been devoted to its benefit under an act of the Twenty-second Legislature containing the following: “\* \* \* All moneys apportioned to the State of Texas under an act of the Fifty-first Congress of the United States, entitled ‘An Act to apply a portion of the proceeds of the public lands to the more complete endowment and support of the colleges for the benefit of agriculture and mechanical arts, established under the provisions of an act of Congress approved July 2, 1862,’ shall be apportioned between the Agricultural and Mechanical College and the Prairie View State Normal School on the following basis, to wit: three-fourths to the Agricultural and Mechanical College and one-fourth to the Prairie View State Normal School.

“L. S. Ross, President of the Agricultural and Mechanical College, or his successors in office, are hereby authorized to receive and receipt for all moneys due and to become due to the Agricultural and Mechanical College and the Prairie View State Normal School, under the act of Congress aforesaid.”

The Board of Directors of the Agricultural and Mechanical College have control of the Prairie View State Normal and Industrial College—elect the principal and teachers, make rules and regulations, and have charge of and disburse all moneys appropriated for the institution.

The following is a list of the Principals who have been elected, and their terms of service: L. Miner, 1878-1879, Alta Vista Agricultural College; E. H. Anderson, 1879-1884, Prairie View Normal School; L. C. Anderson, 1884-1896 (agricultural, mechanical and female industrial departments added); E. L. Blackshear, 1896 to present date (college department added).

**Sam Houston Normal Institute, Huntsville.**

H. C. Pritchett, Principal; salary \$3,000 per annum (\$2,000 from the State and \$1,000 from the Peabody fund).

The institute is under the exclusive control of the State Board of Education, composed of the Governor (who is *ex-officio* President of the Board), Comptroller of Public Accounts and Secretary of State. The State Superintendent of Public Instruction is *ex-officio* Secretary of the Board. The State Board of Education elects the Principal and teachers and fixes their salaries, prescribes the number of scholarship pupils and by whom they shall be appointed, makes regulations as to the admission of non-scholarship pupils, designates the courses of study that shall be pursued, etc., appoints a local board of directors and visitors consisting of three members, and receives and disburses whatever sums may be paid in by the agent of the Peabody Educational Fund.

The following constitute the State Board of Education at this time: Governor Joseph D. Sayers, Comptroller R. M. Love and Secretary of State John G. Tod; and the following the local board of directors and visitors: A. T. McKinney, T. H. Ball and J. G. Ashford.

H. F. Estill is Treasurer, and Miss Ella Smither, Secretary, of the local board.

The officers of the Faculty are: H. C. Pritchett, President; H. F. Estill, Vice-President; Miss Bertha Kirkley, Secretary; Miss L. W. Elliott, Preceptress; J. L. Pritchett, Superintendent of Buildings and Grounds, and Miss Ella Smither, Librarian.

Under the rules now in vogue each member of the State Board of Education has power to appoint annually nine persons to scholarships in the Institute; the State Superintendent of Public Instruction, nine; the Lieutenant-Governor, six; each State Senator, two; and each member of the State House of Representatives, one; the appointees to be not less than seventeen years of age and to be appointed subject to examination for admission and acceptance or rejection by the faculty of the normal.

Students so appointed, if they stand successfully the examination in the studies prescribed and are admitted, pay a board fee of \$18.75 at the beginning of each term of nine weeks (\$75 for the school year of four terms of nine weeks), after which they are furnished board, including room, lights and fuel, without further charge. As many non-scholarship pupils are admitted as can be accommodated. They have to pay their own board for the entire session, selecting such places as they may desire.

A scholarship is estimated to be worth to the person holding it \$50 in board, which represents the sole difference in the status of the two classes of students. The catalogue for 1901-02 announces room for 400 non-scholarship students.

Each student pays an incidental fee of two dollars at the beginning of each term (\$8.00 per session), and deposits with the Librarian \$5.00 prior to text-books being issued, after which all books needed are issued to him, or her, for use. If the books are returned in good condition at the end of the session, two dollars of the five are refunded. There is no charge for tuition.

The amount received from the agent of the Peabody Educational Fund as a contribution toward the support of the Institute is \$111.11 per month for nine months of each year.

Students taking the full course, and graduating, secure diplomas that are equivalent to lifetime certificates to teach in the public schools.

Others, who stand successful examinations, are granted first grade certificates to teach in the public schools.

Each student admitted to the Institute is required to sign a written pledge to teach as many sessions in the public schools as the student may attend sessions of the Institute.

The normal is neither a high school nor a college. In literary and scientific branches its work lies between the two, but it has in addition a distinctive course of study for the training of teachers. Its mission is to fit young men and women to do their best work in the public schools. Its aim is to do in the most thorough manner the work which it undertakes and to do just such work as is especially needed.

The total amount appropriated by the Twenty-seventh Legislature for the support of the Institute for the six months ending August 31, 1901, was \$8,500, and for the two years ending August 31, 1903, \$79,000.

The Sam Houston Normal Institute was established at Huntsville under the provisions of an act of the Sixteenth Legislature, approved April 21, 1879. It was so named by the act as an honor to the hero of San Jacinto and, as a further honor, located in the town where he spent the last years of his life and where his ashes lie entombed.

As this Institute was the first normal school established in Texas, the following *résumé* of its history, taken from the catalogue, is interesting, and worthy of preservation in more lasting form:

"At the earnest solicitation of Hon. George Peabody and Hon. Robert C. Winthrop, Dr. Barnas Sears, General Agent of the Peabody Education Fund, spent the winter of 1878-79 in Texas, laboring earnestly to aid in creating an efficient school system in Texas, destined soon to become, as they foresaw, the Empire State of the Union. One of the results of his labors, warmly supported by Hon. O. M. Roberts, at that time Governor of the State, and by Dr. R. C. Burleson, then State Agent of the Peabody Fund, was the establishment of the Sam Houston Normal Institute. \* \* \*

"The institution is greatly indebted, not only for its establishment, but also for its continued success, to the liberality of the trustees of the Peabody Education Fund, the general agents, Dr. Barnas Sears and Dr. J. L. M. Curry, having done everything possible to foster and build up a normal school worthy of the great State of Texas.

"The Legislature of Texas, from the inception of the school, has generously fostered the Sam Houston Normal Institute. The school having outgrown its accommodations, the Twenty-first Legislature, with wise liberality, appropriated \$40,000 for the erection of an additional building. The new building, one of the best of its kind in the country, and supplied with the most approved furniture and appliances, was dedicated at the opening of the twelfth session, September 22, 1890. The Twenty-second Legislature appropriated \$4000 to build up the Peabody Normal Library, and the Twenty-third, Twenty-fourth, Twenty-fifth, and Twenty-sixth Legislatures have been liberal. No effort will be spared to make this one of the choicest normal libraries on the continent.

"The school opened October 10, 1879, with Bernard Mallon as Principal. Coming here, he had said that he would make this his last and best work. But the life of this noble man, much loved and so much lamented, was near its close. On the twenty-first day of the same month in which the school opened, he entered upon his rest. H. H. Smith suc-

ceeded Professor Mallon, and continued in charge of the school to the close of the second session.

"The third annual session opened on the 26th day of September, 1881, with J. Baldwin as Principal. Coming in the full maturity of his powers, Dr. Baldwin for ten years gave his entire thought to the work of developing the Institute as a normal school, and placing it on a permanent basis. The course of study was extended, the number of teachers and students gradually increased, until in 1891 the twelfth school year closed with a faculty of eleven teachers and three hundred and twenty students. The great success attained by the school was due in a large measure to the energy, zeal, and devotion of Dr. Baldwin to the work. In August, 1892, he was called to the chair of pedagogy in the University of Texas, and, at the request of the friends of the Normal, H. C. Pritchett resigned the office of Superintendent of Public Instruction to accept the principalship of the Institute. Under his management, the school has continued to prosper, and is in the highest sense a State school for educating and training teachers for our public schools."

The Institute is located on a high hill in the Southern suburbs of Huntsville. The grounds, six acres in extent, are graded and generally shaded by trees of native growth, which have been supplemented by other trees, flowers, shrubs and vines that have been so planted and cultivated as to add greatly to the beauty of the site.

The buildings are: 1. The Austin College building, 50 by 70 feet, three stories high. In this building are located the lecture rooms, laboratories and workshops for chemistry and physics, the lecture rooms and museum for geology, botany, zoology and physiology, a room for drawing and primary work, and a room for the use of the stereopticon. The building is well equipped with models and apparatus to meet the demands of the various kinds of work. While not showy, it is comfortable and well arranged.

2. The gymnasium is a frame building 50 by 70 feet, equipped with a piano, and with rings, dumb bells, Indian clubs, chest developers, chest expanders, chest weights, trapezes, and other necessary apparatus. It lies south one hundred feet from the Austin College building. East of the gymnasium is the residence of the President, a comfortable two-story frame building.

3. West of the gymnasium is the music hall, a frame building, 30 by 36 feet, equipped with piano, music charts, etc.

4. Immediately in front of the Austin College building is the main building of the institution. It is two stories in height, 156 feet in length, and 95 feet in width, and contains twelve rooms, besides cloak rooms, hallways and chapel. The classrooms are well furnished with slate blackboards, maps, charts and other furniture. The chapel, or Memorial Hall, in the second story, is 98 by 71 feet, with an alcove in the north, and will seat comfortably fifteen hundred people. The alcove contains three large memorial windows, the central one being the historic window in honor of Gen. Sam Houston, procured by the contributions of students and friends; and on one side a window in memory of Dr. Bernard Mallon, Prof. Charles P. Estill and Mrs. A. A. Reynolds, members of the faculty who have died in the service of the Institute, and on the other side, a memorial window to George Peabody and Barnas Sears, to whom the Normal is greatly indebted, purchased by the local board. In the center of this alcove is a colossal figure of the "Victory of Samo-



thrace," presented by Mrs. Percy V. Pennybacker in memory of her husband, who was one of the earliest and most successful graduates of the institution. On the south side of the hall are three memorial windows containing inscriptions in honor of heroes of the Alamo, Goliad, and San Jacinto, one in honor of Col. L. A. Abercrombie, another in memory of Dr. Joseph Baldwin, who was for ten years Principal of the school. The other windows in the hall are also of stained glass. On the platform is an excellent piano and a pipe organ. The room is constructed and ornamented with excellent taste and judgment, and is one of the best auditoriums in the State, its acoustic properties being well nigh perfect.

5. Southeast of the main building and about 75 feet distant, a building is now being erected for the library. It is in the form of a cross, about 85 feet from north to south, and 65 feet from east to west, and will contain a book room about 30 by 35 feet, a reading room 60 by 25 feet, and an office, cloak room, and hallway. This will be one of the handsomest and best buildings on the grounds and it will enable the institution to use to great advantage its excellent and well selected library.

"A large and beautiful room in the new building," says the catalogue, "has been designated as the Peabody Memorial Library. This has been fitted up with bookcases and other furniture, and our libraries removed thereto. With our miscellaneous library, numbering several thousand volumes, together with our reference and professional libraries, which are accessible to our students, we shall be able to add new interest and value to our work. We desire to make this a fitting memorial of the great philanthropist who has done so much for education in the South.

"Through the liberality of the Twenty-seventh Legislature, we shall be able to make important additions to our library during the next year.

"A new library building will be erected during the year."

In their report to the State Board of Education, the local Board of Directors say:

"\* \* \* During the annual session of said Institute which closed on the 28th day of May, 1901, 475 students were received, of whom 111 completed the Senior course and thereby became entitled to receive diplomas, 178 completed the Junior course and thereby became entitled to receive first-grade certificates, and 58 completed the Elementary course and thereby became entitled to receive second-grade certificates.

"The members of the faculty have labored with zeal and energy in communicating instruction to the students, who have been diligent in their studies, manifesting an earnest desire to qualify themselves for the important work of teaching in the public schools of this State. \* \* \*

"The library for the use of the members of the faculty and the students in attendance is well arranged. The system adopted is an excellent one, and convenient to those who visit that room to refer to the many books therein kept. This library consists of between 12,000 and 15,000 volumes, and is one of the most valuable libraries in an educational institution in this State."

Seventeen teachers are employed in the Institute. For the year 1900-1901, 475 students were in attendance. From the opening of the Institute, October 10, 1879, to the close of its twenty-second year, May 26, 1901, the total number of students admitted was 7,169; the total number graduated and issued diplomas, 1,570; and the total number who

received first-grade certificates, 2,500. The total value of property belonging to the Institute is \$110,000.

**H. C. Pritchett, A. M., Principal of the Sam Houston Normal Institute.**

Was born in Warren county, Missouri, August 12, 1852. He spent his early years on the farm and in 1867 his parents moved to Glasgow, Missouri, to give their children such educational advantages as the country schools could not furnish. He entered Pritchett College and graduated in the class of 1873, and immediately entered upon his work as a teacher in the public schools of the State, first in St. Charles county, Mo., and later in Polk county, of that State. He taught for several years in Morrisville Institute. In 1876 he was married at Huntsville, Texas, and in 1878, came to make his home in Texas. He taught for three years in the public schools and in Coronal Institute at San Marcos, Texas, and in 1881 was elected professor of mathematics in the Sam Houston Normal Institute. In September, 1890, he was appointed by Governor Ross to succeed Hon. O. H. Cooper as State Superintendent of Public Instruction, and in November of that year was elected to that office. Upon the resignation of Dr. Baldwin as Principal of the Sam Houston Normal Institute in 1891, he was elected by the Board of Education Principal of that institution.

**North Texas State Normal College, Denton.**

J. S. Kendall, President; salary, \$2,000 per annum.

This institution owes its existence to the enterprising spirit of the citizens of Denton who ten years ago built and equipped, on a beautiful ten-acre lot in the western part of the town, an attractive two-story structure which was known until recently as the North Texas Normal School of Denton. As a private enterprise, the institution passed through the vicissitudes incident to schools of its class. However, during the last half of this period it became somewhat extensively known, because of special privileges given it by the State, and its patronage accordingly was drawn from various parts of the State.

In 1899, some additions having been made to the buildings whereby the value was increased to \$25,000, the entire property was donated to the State of Texas by the city of Denton,<sup>1</sup> to be converted into a State normal school, whose special province (like that of the Sam Houston Normal, established twenty years before) should be the training of teach-

<sup>1</sup>Act of the Twenty-sixth Legislature approved March 31, 1899: "Be it enacted \* \* \* That there shall be established at the college heretofore known as the North Texas Normal College, at Denton, in the county of Denton, Texas, a normal school, to be known as the North Texas State Normal College; provided that the citizens and municipal authorities of said city of Denton shall within sixty days after this act takes effect convey, or cause to be conveyed, to the State of Texas, by a good and perfect title, the buildings, grounds and other property belonging to or used by the said North Texas Normal College, and bind the city of Denton to furnish for the use of said school an abundant supply of pure artesian water free of cost to the State, for all the purposes of said school, which said conveyance and obligation shall be approved by the Governor and Attorney General; provided, that said college building, when tendered and accepted, shall be sufficient to accommodate at least 400 pupils; and provided further, that if the donation and proposition mentioned herein is not fully complied with by the city of Denton to the satisfaction of the Governor, Comptroller and Superintendent of Public Instruction, then the location of such normal college shall be open to some other place. \* \* \* said college shall pass to and be under the control of the State Board of Education on or before September 18, 1899." Act took effect ninety days after passage.

ers for the public schools of the State. The Twenty-seventh Legislature made suitable appropriations for the support of the institution (\$78,500 for the two years ending August 31, 1903, and the State Board of Education, as required by law, proceeded to organize the school.

At the request of many citizens of the State, North Texas in particular, J. S. Kendall State Superintendent of Public Instruction, resigned his office (July 1, 1901) in order to accept the presidency of this institution, and with him was chosen a strong faculty of experienced teachers. The new school opened its first session September 18, 1901, with an attendance of more than 300 from all sections of the State, while the enrollment to February 1, 1902, has reached 475, representing 115 counties of Texas.

All students must be at least sixteen years of age, and each one is obligated to teach in the public schools of the State for so long a time as he or she may attend the Normal. As a matter of fact, the average age of the student body for this first session is slightly above twenty years. Among these are quite a number of young teachers who have each already seen several years of service in the schools of Texas.

Situated in a town easily accessible by rail to all portions of the State and noted for its healthful location and its refined and enterprising citizenship, with a populous section of country where the school spirit is strong surrounding it, the North Texas State Normal has before it an inviting career of usefulness as an educational factor in the future growth and development of Texas.

The law for the government of the North Texas Normal is the same as for the Sam Houston Normal, including the number of scholarships at the disposal of the members of the State Board of Education and others specified.

J. S. Kendall is a native of Wilkes county, Georgia. Received his academic training at Jonesboro and Griffin under Colonel Allen D. Candler, the present Governor of the State, and subsequently attended the State University at Athens. For two years he taught a private school at Brownsville, South Carolina. On leaving the latter place he entered the University of Virginia, giving special attention for two years to the study of English literature, Latin, modern languages, economics, history, and metaphysics. In 1874 he came to Texas, and during the ten following years was actively engaged in school work in North Texas. In 1884, without solicitation on his part, he was called to the presidency of Pritchett Institute, an endowed school of high rank in Glasgow, Missouri. Because of preference for the South, he resigned this position in 1891 and returned to Texas, accepting the superintendency of the public schools of Honey Grove. In 1898 he was elected State Superintendent of Public Instruction and was re-elected in 1900. In May, 1901, he resigned this office to accept appointment to the presidency of the North Texas Normal. He has given much special study to the subjects of history and civics and to public school organization and methods.

#### **Southwest Texas Normal School, San Marcos.**

This school was created by an act of the Twenty-sixth Legislature, approved May 10, 1899. The act contains the following provisions: " \* \* There shall be established at San Marcos, Hays county, Texas, and on the plot of ground containing about eleven acres, and known as Chautauqua Hill, a State normal school, to be known as the Southwest

Texas Normal School, provided the city of San Marcos and the citizens thereof shall, without charge or cost to the State, and within sixty days after this act takes effect, convey, or cause to be conveyed, unto the State of Texas, a good and perfect title in and to the aforesaid eleven acres of land \* \* \* together with all buildings and improvements incident and appertaining thereto \* \* \* and thereafter the same shall be under the management and control of the State Board of Education for the purpose of establishing and maintaining the aforesaid Southwest Texas Normal School, which shall be done so soon as said Board \* \* \* shall deem it advisable and suitable provisions are made to carry into effect this act." [Act contained emergency clause and took effect from and after its passage.]

The Twenty-seventh Legislature passed at its regular session an act approved March 28, 1901, stating that the eleven acres had been deeded to the State, appropriating \$25,000 for the erection and equipment of buildings, and \$10,000 for defraying the running expenses of the school, and declaring that the rules and regulations provided by law for the government of the Sam Houston Normal Institute should apply to this Normal School.

Buildings are now being erected by contractors, and are to be completed by January 1, 1903, the intention being to open the school in February, 1903.

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## PRELIMINARY HISTORICAL SKETCH OF THE DISCOVERY AND DEVELOPMENT OF PETROLEUM IN TEXAS.

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"Technical publications," says William Battle Phillips, Ph. D., "do not contain much information concerning Texas petroleum, for the reason that it was not until 1896 that the production reached as much as 1,000 barrels. The attention of investigators was, therefore, not turned in this direction until about three years ago. According to official statistics collected and published by the United States Geological Survey, Division of Mineral Resources, the total production of petroleum in this State up to and including 1895, was but 361 barrels. In 1899 this rose to 669,013 barrels and in 1900 to 836,039 barrels.

"\* \* \* Historical references to the presence of oil, as shown in tar springs, oil 'seeps,' etc., would extend back many years, possibly to the first occupation of the country by the Spaniards, and would be continued through nearly all the publications relating to this territory. It does not appear necessary to make more than a passing mention of such matters. What was said by S. H. Stowell in a report on Petroleum to the United States Geological Survey in 1883, may be taken as summing up in a few words all that could be positively stated. He said then that petroleum was known to exist in Texas, but the developments had attracted little attention and were of little commercial importance.

"Between 1883 and 1886 the situation improved a little, for in that year Jos. D. Weeks, in a report to the government (Mineral Resources, 1886, page 463) said that it was reported that a natural lubricating oil, similar to that of West Virginia, though inferior, was produced in Texas. The wells which supplied it yielded about sixty barrels a day. The oil was stated to be about thirty degrees Beaume gravity, and when the wells

were properly drilled and the naphtha evaporated, to make a fairly good lubricant. In this statement Mr. Weeks probably referred to the Nacogdoches field.

"The oil in Nacogdoches county seems to have been discovered, so far as is known, by Amory Starr and Peyton F. Edwards about 1867.<sup>1</sup> While on a hunting expedition they dug some shallow holes on the margin of Oil Spring branch, about fifteen miles southeast of Nacogdoches, and allowed them to fill up during the night. In the morning they skimmed off the oil and carried it to Nacogdoches, where it was used on harness and leather, and for other domestic purposes. Subsequently John F. Carll drilled a well four miles northeast of Oil Spring, on Caney creek, Skillern tract, and also on the Leak place, one mile west of Melrose. A little oil was found in the first well, but none in the second, at a depth of eighty feet, and the project was abandoned. Then B. F. Hitchcock began operations, being associated with E. H. Farrar, of New Orleans. The management of the company was in the hands of J. E. Pierce. An eight-inch well was drilled and oil found at seventy feet, the hole being in sand and what appeared to be drift. The first day the well flowed 250 to 300 barrels, which went to waste, and then ceased flowing, and had to be pumped. This company continued to drill wells until 1889. For several years about that time there was some activity in Nacogdoches county in the vicinity of Oil Spring, and between 1887 and 1890, ninety wells were drilled. One company alone, the Lubricating Oil Company, drilled forty wells on its property, and of these twenty were in operation in 1890. The wells were either pumped out or bailed out, according to circumstances. In 1890 there were thirty oil wells in operation in this locality. The Petroleum Prospecting Company was organized in 1887, and up to 1890 it had drilled forty wells. Oil was found generally between seventy and one hundred feet. This company had a three-inch pipe line, fourteen and one-half miles long, laid from its property to storage tanks built on Aaron's Hill, near Nacogdoches, and this was the first pipe line for oil in the State. The tank had a capacity of 2,000 barrels. The Lubricating Oil Company shipped its oil in iron drums, holding about 100 gallons, by wagon to Nacogdoches,

"\* \* \* Interest in the Nacogdoches field, the oldest producing field in the State, has again assumed an active phase and drilling is to be resumed in the vicinity of Oil Spring and Chireno. It is proposed to carry the wells down to a much greater depth than the first ones and to attempt to secure oil from different horizons.

"No statistics of the amount of oil produced in this field in the early days are now available.

"In connection with the early history of prospecting for gas and oil mention may be made of the Cervanke well bored at Greenvine, in the southwestern part of Washington county, in 1879. In August of this year William Seidell bored a well to a depth of 150 to 160 feet and found a strong flow of gas from the sandstone. It was eleven inches in diameter and eight inches in the clear, with a wooden curbing. The gas was burned in a house near the well, but no commercial use was made of it.

"Between 1879 and 1883 two or three wells were bored in the same vicinity, but they caved in so badly that it was found impossible to do anything with them. Work was suspended until 1888, when three other

<sup>1</sup>Wm. Kennedy, quoting H. H. Sawyer, 2d. An. Rep. Texas Geol. Survey, 1890.

wells were put down, one to a depth of 154 feet, near the first well, another about 350 yards to the southeast, 134 feet deep, and the third about half a mile to the northwest, 114 feet deep. It was stated that the three new wells gave 1,500,000 cubic feet of gas per day.

"This was, perhaps, the first successful attempt to secure gas in commercial quantities ever made in the State, and it is of interest to note that prospecting is again in progress in that vicinity.

"This gas area appears to extend toward the east and to continue into Waller county, near Hempstead, and into the northern part of Harris county, north of Houston.

"\* \* \* The first appearance of Texas as an oil producer, in statistical tables, was in 1889, with forty-eight barrels, and in 1890 with fifty-four barrels. \* \* \* The product in 1889 was from two wells on the ranch of George Dullnig, seven miles south of San Antonio, Bexar county. These wells are about 300 feet deep, and the value of their product, in 1889, was \$7.08 per barrel and \$4.20 in 1890. Jos. D. Weeks (Mineral Resources of the United States, 1889-1890, pages 359-360) stated that this was a natural lubricant of twenty-eight to thirty degrees Beaume, and that the capital employed was \$1,650. \* \* \*

"In 1889 some so-called 'sour wells,' at Sulphur Springs, Hopkins county, produced a few gallons of oil.

"In 1893 Mr. Weeks summed up the situation by saying that Texas might produce a few barrels of heavy gravity lubricating oil (Mineral Resources, 1893, page 463). The situation remained practically unchanged to the close of 1895, although during that year a well was drilled at Sour Lake, Hardin county, which gave some lubricating oil of sixteen degrees Beaume.

"Reference should be made to the fact that in the fall of 1890 Colonel William L. Prather, Waco, McLennan county, while boring for water on his farm on the Bosque, a short distance from the city, found oil at a depth of 265 feet. On allowing the oil to accumulate in the well from Saturday night to Monday morning, he bailed out three barrels of oil, which was analyzed by Dr. Edgar Everhart, of the University of Texas, \* \* \* who reported under date of October 17, 1890, that the illuminating oil given off belonged to the highest grades of such oil.

"\* \* \* It was not until four years later that oil was found at Corsicana, but it is fair to say that this discovery gave impetus to the search for oil at Corsicana. The Waco oil has not been developed and practically nothing has been done in that immediate vicinity since 1890.

"Between the period of the rise and decline of the Nacogdoches field and the opening of the Corsicana field many wells were drilled in various parts of the State and oil found in some of them. For instance, near Fort Worth, in Tarrant county, in 1887, oil was found at a depth of 240 feet; at Gatesville, Coryell county, in 1888, at a depth of 560 feet, the oil rising within forty-five feet of the surface. Near Palestine, Anderson county, in 1887, sand impregnated with oil was found at a depth of 60 feet. Time would fail us to enumerate all the localities at which small quantities of oil were obtained prior to 1895. The interest that has been developed since the coming in of the Lucas well at Beaumont, has extended to nearly all that portion of the State east of a north and south line drawn through San Antonio, and to some portions west of this line. Excluding Navarro county (the Corsicana field) and Jef-

ferson county (the Beaumont field), there are at present more than eighty counties in which an active interest in the discovery of oil is shown."

#### **Corsicana Oil Field.**

The YEAR BOOK is indebted to Mr. J. B. Slade, Secretary *pro tem.* of the Corsicana Commercial Club, for the following:

"In drilling for artesian water in Corsicana in May, 1894, oil was unexpectedly found at a depth of 1,030 feet. The artesian company, as soon as possible, cased off the oil and proceeded in its search for water. Some of the oil having been analyzed and found to be of good quality, the real estate firm of H. G. Damon and Ralph Beaton, assisted by Jno. Davidson, an experienced oil man from Pennsylvania, organized the Corsicana Oil Development Company, which was afterwards incorporated under the name of the Southern Oil Company, and proceeded to get leases. After having secured about 30,000 acres in the vicinity of Corsicana, Messrs. Guffey & Galey, of Pittsburg, were induced to take an interest with them, and in October, 1895, work was commenced on the first well, which was drilled 200 feet south from the artesian well. This was virtually a dry well, as it only produced two barrels per day, and was soon abandoned. Their next attempt was at a point 700 feet north from the artesian well, with most disappointing results. At a depth of 1,100 feet the faintest sign of oil was struck, below which was salt water. Prospects for the new company were looking blue; \$4,500 had been sunk in the first well, \$2,500 in the second, and about five months of time wasted. It was now early in March, 1896, and there was nothing to indicate where the next venture should be made with the best prospects of success. Finally it was decided to go one-half mile northeast and sink the third well. Oil was struck at a depth of 1,030 feet, and soon it came pouring out from the top at the rate of twenty-two barrels per day. This well was the beginning of the oil development, which has not ceased to this day. Other companies were organized, other wells sunk, and in about two years the development had been so rapid that East Corsicana looked like a forest of derricks.

"To show the risks and uncertainties of the oil business, it is only necessary to revert to the fact that the first two wells, 200 and 700 feet from the artesian well where oil was first discovered, were dry, and to state the well-known fact that if the third well had been drilled anywhere except at points between lines drawn north and east from the artesian well the result would have been failure."

William Battle Phillips, Ph. D., says that the Corsicana oil field occupies an area of twelve to fifteen square miles, and has an elliptical shape, with the longer axis extending northeast and southwest about six miles. Continuing, he says: "The oil sand is found at a depth of about 1,050 feet, and is soft gray shale, highly siliceous, containing various foraminifera, such as Globigerina, Rotalia and Nomionina. Some of these correspond closely to the forms present in the oil sands and in the chalk beds of Europe. The drilling in the Corsicana field proceeds, at times, with great rapidity, owing to the comparatively soft material, sand, clay, etc., overlaying the oil "sand," a record of 1,000 feet in thirty-two hours having been made by Mr. Ben Harper.

"\* \* \* The first oil well in the Corsicana field yielded two and

one-half barrels a day, and in May, 1895, a second well gave twenty-two barrels. In 1896 the production was 1,450 barrels from five wells, and in 1897, 65,975 barrels from forty-seven wells. \* \* \*

"In 1897 the oil was used locally for fuel at the wells and some of it was sent to Dallas, Austin, etc., and used for making gas. A market was secured in this way, for the small output, but it was felt that any considerable development of the field would necessitate the erection of a refinery.

"In 1898 Mr. J. S. Cullinan, of Washington, Penn., secured sufficient interests in the field to warrant the erection of a complete refinery with all modern improvements.<sup>1</sup> In the *Engineering and Mining Journal*, N. Y., Vol. LXV, page 233, February 19, 1898, it was stated that there were sixty-two wells, producing on the average fourteen barrels a day, and in addition there were ten dry holes and seven wells drilling, with ten rigs in preparation. Each well had a tank of the capacity of 250 to 350 barrels, and there were two tanks of 1,800 barrels capacity and one of 16,000 barrels. One tank was being erected with a capacity of 1,800 barrels and another with a capacity of 30,000 barrels. The total output was then about 1,000 barrels a day, with a market value of fifty cents a barrel. The expectation was to increase the output by 150 barrels a day within a short time. According to the same authority, by June, 1898, the output was 1,800 barrels a day and the tanks contained 60,000 barrels of oil. At that time the area of the field was held to be two and one-half miles long by a mile wide, the longer line bearing northeast and southwest. A good deal of so-called "wild-catting" was in progress and an extensive gas field was found outside of the regular oil belt, one well developing a pressure of 200 pounds per square inch.

"Upon striking the oil sand at Corsicana there is generally a considerable delay before the oil appears, sometimes as much as twenty-four hours. Some of the wells have been gushers, the oil rising to a height of 100 feet, forced out by gas pressure. The oil will flow for five or ten minutes and then cease flowing for a short time. The intensity of the flow is greatest between 4 p. m. and midnight, and then diminishes until about 9 a. m. .

"Gas pressures up to 200 pounds per square inch have been observed. Northeast of Corsicana, near Chatfield, a strong flow of gas was found at 862 feet. A mile south of Corsicana another strong flow was found at 1,040 feet, and another three miles southwest. The gas area may be quite extensive, as a strong flow has been found seventy-five miles south of Corsicana, in Robertson county, near the town of Hearne. A limited use is made of it.

"Since the discovery of oil at Corsicana the development has been steady and thorough. The limits of the field have been increased by a very complete system of test wells and it is now about six and one-half miles long by two to three miles wide. In the productive field, however, are several belts that are practically dry, as the drillings show that the oil sand has thinned and pinched out, in some places being absent entirely. The heaviest wells, that is, the ones producing the most oil,

<sup>1</sup>A refinery has been recently completed by the Independent Oil Co. at Powell, near Corsicana, and is now in operation, and has already shipped lubricating oil to St. Louis and other markets. The company is said to own wells producing an aggregate of 100 barrels of oil a day.



are generally located where the sand is thickest, but there are exceptions, one forty-barrel well tapping the sand where it is only a few feet thick.

"Drilling in this field has gotten to be almost an exact science, and very few accidents occur. Though the variation in the depth of the wells may be about 200 feet, it is largely due to the height of the ground upon which the rig is set. Slight dips and pitches occur in the formations penetrated, but they are well understood, and the depth to which it is necessary to go can be determined to a great degree of accuracy by the experienced driller. The methods employed in drilling are with the usual rotary and cable rig type in about equal numbers. It seems, however, that most of the large companies are using the cable rig, which, although more expensive, gives on the whole a better well. Great care is necessary in the manipulation of the casing. The flows are small and it is necessary to go just the proper depth in the oil sand to get the best results. Below the oil horizon the sand is generally filled with salt water. But two sizes of casing are used in the ordinary well. The well is begun with a six inch and finished with a four and five-eighths inch. When the wells become dry the casing is easily removed. The average cost of a completed well in the Corsicana field is about \$1,000, which is from one-fourth to one-tenth of the cost in the Beaumont field. While the Beaumont field is somewhat more difficult to drill in, the cost as compared with that of the Corsicana field is out of all proportion.

"There are two systems of pumping in vogue, the rod system and the compressed air system. Gas engines utilizing the natural gas from the wells are extensively employed. Small producers having only a few wells have their pumping done by contract at a stated price per month. The oil is pumped into wooden tanks of 100 barrels capacity located at convenient points in the field. The tanks are gauged and are connected with the refinery by an extensive system of pipe lines. A very complete and convenient system of measuring and handling the oil has been devised. The royalties in this field, which range from one-eighth to one-tenth, are paid to the land owner by the refiner.

"The oil is pumped from the well tanks by engines at a central pumping station. From this station it goes to the large storage tanks that supply the refinery. There are about twenty-five of the standard 37,000-barrel tanks in use. In the field there is 100 miles of pipe lines, ranging in size from three to six inches, with the greater part, however, being two and three. The natural gas in the region is utilized to a small extent for fuel and lights in the town of Corsicana, and a system of mains has been constructed for its distribution.

"The Corsicana refinery has a capacity of 1,500 barrels crude oil per day. Half of the output consists of gasoline and kerosene of various grades, while the residuum is marketed for fuel. A large proportion of the illuminating oil used in Texas and the neighboring States is the product of the Corsicana refinery. About \$1,000,000 is invested in this refining plant.

"In the United States, generally, 100 gallons of crude oil yield seventy-six gallons of illuminating oil, eleven gallons of gasoline, benzine and naphtha, three gallons of lubricating oil, and ten gallons of residuum and loss. (Oliphant.) \* \* \*

The following table was prepared for the YEAR BOOK by Mr. J. B. Slade, of the Corsicana Commercial Club:

	1900	1901.
Wells completed.....	373	68
Producing.....	261 <sup>1</sup>	47 <sup>1</sup>
Gas.....	14	5
Dry.....	98	16
Abandoned.....	112	27
Production.....	829,559.70 bbls.	763,423.81 bbls.
Average price per barrel.....	\$1.0461	\$0.7915
Value of output.....	\$867,802.40	\$604,249.05

### Beaumont Oil Field.

"It was in 1869," says an anonymous magazine writer, "that the first oil lease was made a part of the records of Jefferson county, Texas, whereby a resident by the name of Hillebrandt conveyed to a party by the name of Mason, an Alabamian, certain lands, the terms being one-tenth royalty.

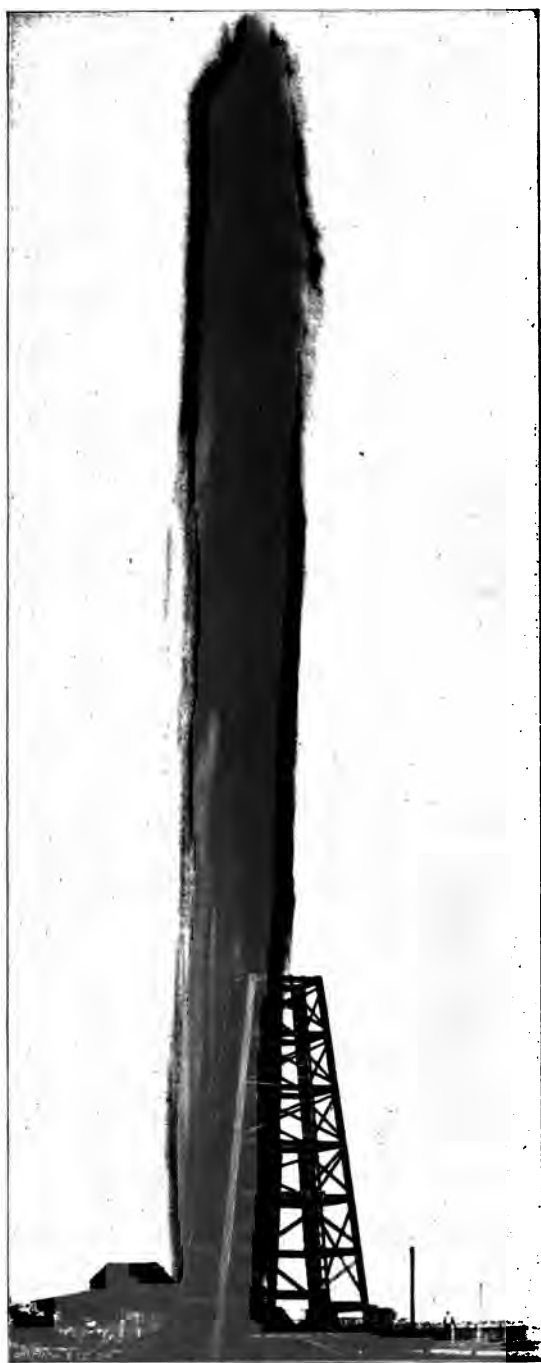
"About the same time, Dr. B. T. Cavanaugh, an experienced Eastern gentleman who had prospected for oil and coal in Northwestern Texas, endeavored to trace the oil veins and in the vicinity of Sour Lake found it in greater quantities than in other parts of the State. Dr. Cavanaugh as far back as 1878 published an account of his investigations in a Beaumont paper, positively asserting that a great vein of oil was located in the Neches valley.

"Gladys City, which is the name of the oil field, was named by Mr. Patillo Higgins for Miss Gladys Bingham, of Beaumont, who was a little girl when he so honored her."

"As early as 1892," says William Battle Phillips, Ph. D., "attempts were made to bore for oil and sulphur south of Beaumont. Jefferson county, and it is stated that Mr. Patillo Higgins, Beaumont, first began operations in the vicinity of Gladys City. He seems to have organized the Gladys City Oil, Gas and Manufacturing Company, and to have succeeded in interesting capital in the enterprise. In the early part of 1892 a contract is said to have been made for the drilling of a well to a depth of 1,500 feet, but that it was carried down only 300 feet and then abandoned. Mr. Higgins, who is now superintendent and geologist for the Higgins Oil and Fuel Company, Beaumont, was thus the first to endeavor to strike the oil in the Beaumont district and the first to begin actual operations there. The attempt was not successful because of the lack of knowledge, at that time, of the proper machinery and the proper means of dealing with the peculiar strata through which the drilling must progress. It is, perhaps, not too much to say that the experience obtained by A. F. Lucas in the salt districts of Louisiana was really the means of solving the problems at Beaumont. In many particulars the situation is the same and the methods of handling the quicksand which had been found to be successful in Louisiana were applied in Texas. It is probable that if the attempts made in 1892 had been backed by practical knowledge of how to deal with the local difficulties Mr. Higgins would have been the first to strike oil in the Beaumont district.

"It may be said, therefore, that while the first attempts at finding oil were made in the Beaumont district in 1892, and by Mr. Higgins, the first well came in nine years afterward and under the superintendence of

<sup>1</sup>Includes 56 wells in heavy oil district for 1900 and 10 wells for 1901. Heavy oil production, 37,071.30 bbls.; value, \$12,148.26; average price per barrel, \$0.3277.



**LUCAS GUSHER**



A. F. Lucas. During the intervening years some attempts were made by others, but in no case was oil found in paying quantities. \* \* \*

"While, in fact, oil has been found in paying quantities in other localities in the vicinity of Beaumont, notably at Sour Lake, Jennings, La., and without doubt at Bay Hill, Texas," says the *National Oil Reporter* of October 10, 1901, "still the home of the genuine gusher is on Spindletop Heights, about four miles southeast from Beaumont.

"This is a section covering approximately forty acres, and embraces an elevation of about fifteen feet from the surrounding territory, and above the sea-level perhaps not over forty feet.

"It is situated on a prairie that is used mostly for grazing purposes for the herds of cattle and horses belonging to ranchmen. But few farms are in operation in the neighborhood, and these are devoted to rice cultivation and truck farming.

"Spindletop Heights was an open plain prior to the finding of oil there, and valued by its owners for what it would bring as grazing or agricultural land. It was owned by different persons, who—as usually happens in such cases—did not profit commensurately with their opportunity.

"Even after the 'coming in' of the Lucas gusher a number of these landowners disposed of their possessions for sums, which in the face of subsequent amounts paid for the same land, seem too absurd to name.

"This property was transferred from the ranchman who owned it to a company of speculators for \$4,000, who put down a well, and after reserving all but a few feet surrounding the spouter, sold the well for \$1,250,000.

"\* \* \* Captain Lucas struck oil on the Gladys City Oil Company's property several months before he brought in his great well on January 10, 1901, but in the course of his operations an accident happened to the drilling machinery just at the time when indications of oil were most favorable. Consultations were held and he asked and obtained the consent of the stockholders of the Gladys City Company to try for oil on the McFaddin-Weiss-Kyle land (Spindletop proper), where he also had leases. Believing that Captain Lucas was in earnest and had proven himself the most capable man who had ever taken hold of the proposition, and the aim of the Gladys City Company being to determine what was beneath the surface of Jefferson county, was the reason that Captain Lucas was given full sway in the matter of choosing the location of his well.

"Captain Lucas found oil in a manner which attracted the attention of the world. He knows that the well on the property would have given the same results as the present geyser, and subsequent work has verified Captain Lucas's belief with several producing wells.

"On January 10, 1901, at exactly 10:30 a. m., the well that made Beaumont famous burst upon the astonished view of those engaged in boring it, with a volume of water, sand, rocks, gas and oil that sped upward with such tremendous force as to tear the crossbars of the derrick to pieces, and scattered the mixed properties from its bowels, together with timbers, pieces of well casing, etc., for hundreds of feet in all directions.

"For nine days the phenomenon was the wonder and puzzle of the world. It flowed unceasingly and with ever increasing force and volume until when it was finally controlled it was shooting upward a tower of

pure crude oil, of the first quality, quite two hundred feet, and spouting in wanton waste 70,000 barrels of oil per day.

"Beaumont suddenly became the center of attraction for every person able to reach the town by both passenger and freight trains. Men eager to get on the scene of operations and who were unable to make passenger train connection would bribe freight conductors and brakemen, and, if need be, steal their way over the railroads to the town on the Neches river in Southeast Texas, which was rapidly filling with excited and reckless speculators from all points of the compass, and who soon bought up all of the available oil land, formed stock companies, contracted for wells and began selling stock shares and drilling for oil.

"But the boom days are safely over, perhaps never to recur with such feverish intensity. Beaumont's increase of population is stupendous, and the tide of immigration is still Beaumontward.

"It is now a city of 20,000 population, with buildings equal in size and modern construction to any in the South. Houses are at this date in almost as great demand as when the city was overflowing with strangers and men and women walked the streets at night, or paid fabulous prices for the privilege of a chair in which to sleep."

The population of Beaumont in 1880 was 1,620; in 1890, 3,296; and in 1900, 9,427. Before the discovery of oil the town had attained great importance as a lumber manufacturing center. Some of the largest saw-mills in the world are located in the vicinity of the city.

Another writer in the same paper says that Captain Lucas is forty-six years of age, an Austrian by birth; studied in the high schools at Trieste, and later graduated from the Polytechnic School at Gratz; served for a time in the Austrian navy; later came to the United States, and has since resided in Washington, D. C., except when actively employed as mining engineer. After sinking the first well that yielded oil (a light stratum) he tried to enlist the aid of Northern and Eastern capital, but without success.

"After traveling east and west," says the writer, "knocking at many doors and meeting always with the same result, he received from Dr. William B. Phillips, the newly appointed Director of the Texas Geological Survey, a happy suggestion—that of applying to Messrs. Guffey & Galey, of Pittsburg—resulting in his going to Pittsburg and inducing Mr. Galey to make a visit to Texas, which Mr. Galey did. After looking over the field, Messrs. Guffey & Galey agreed to back Captain Lucas financially, allowing him a small interest in return, which was acceptable, as at that time, rather than abandon the enterprise, as so many others had done, he applied the maxim that 'a half loaf is better than none.' \* \* \*

"The second well was begun by Messrs. Hamill Brothers, Corsicana contractors, in October, under Captain Lucas's express supervision, and according to his own methods. \* \* \* The work proceeded with various misgivings, but, fortunately, without any accident until the Lucas gusher came in on the 10th of January. \* \* \*

"Following the gas came a solid column of oil, spouting above the derrick and increasing in force, and in a few hours the oil column was gushing fully 200 feet high."

The United States Geological Survey has a record of about 138,000 wells drilled in the eastern field since oil was discovered, and in that entire number, representing over forty years' work of an army of drillers,

there never has been a well that produced, except for a few days, more than one-tenth as much as the Lucas gusher.

"Captain Lucas organized a body of guards, fifty for the day and forty for the night, under Mr Percy Weiss, a prominent citizen of Beaumont, whose orders were to keep the ever increasing crowds within bounds of the established cordon, and to admit no one without orders. Next he brought into requisition forty four-horse teams, with gang plows, from the immense rice farm belonging to Messrs. McFaddin, Weiss & Kyle, on whose property he was operating.

"The work of building levees began; also to plow under the rank dry grass, now soaked with oil, which was a constant menace of fire. Work was continued day and night. Next, to telegraph to Messrs. Guffey & Galey, his associates, in Pittsburg, of the occurrence of the great well, and giving his estimate as 35,000 barrels daily flow. Authorities, however, from the Standard Oil Company, who came on the field later, agreed that Captain Lucas's estimate was entirely too conservative, and that the well was giving between 75,000 and 100,000 barrels per day.

"The hastily constructed levees were soon overflowing, and it was necessary to construct additional ones, covering a much larger area.

"\* \* \* There was not an eight-inch gate valve in Beaumont at that time, and repeated telegrams sent to the most prominent valve manufacturers in the United States asking for a split emergency valve brought the reply that none could be had, and that it would take six weeks to make one, for if he had had a split emergency valve ready at hand he believes the well could have been shut off in much less time.

"\* \* \* On Sunday, January 13, three days after the well came in, and while Captain Lucas was dining with his family, the girl who was waiting on the table gave the alarm that the well was on fire, whereupon Captain Lucas jumped up and looked out of the window, where the derrick, a mile and a half in the distance, spouting a column of oil, was in plain view. As the well was located on a slight eminence, the sight he saw was appalling; carriages and vehicles of every description could be seen scattering in all directions, and beyond and between the mass of vehicles and the well was now rising a great column of fire twenty-five feet high and several hundred feet long, and overhead a dense black column of smoke, leading any one at a distance of a mile and a half to believe the well to be on fire. \* \* \*"

[He was greatly relieved to find that merely the prairie grass had caught fire. This was extinguished.]

"Conservative estimates placed the oil flow of the great well in nine days of uninterrupted flow (until it was capped) at the least calculation, 800,000 barrels of oil, all of which was confined by a series of levees, in the immediate vicinity of the well, and covering an area of perhaps more than one hundred acres.

"Mr. Galey arrived next day from Pittsburg, and as perhaps there is no better or more experienced man in the oil fields of the world than he, with his co-operation and advice Captain Lucas and his contractors (Hamill Brothers) were enabled to cap the gusher after the ninth day of unrestricted and continued flow from the time it was brought in. Moreover, a great iron cylinder was built around it and filled with sand, in order to protect it if a conflagration should start from the one hundred acres of oil lake. \* \* \* The wisdom of this move was proved, as on Sunday, March 3rd, a spark of fire from a locomotive set the grass

in a blaze, which in turn rapidly burned its way to the oil lake. To describe that fire would require the pen of Dante. \* \* \* Sheets of flame leaped one thousand feet in the air. \* \* \*

"Families in the neighborhood fled for their lives, the colored population thought the world had come to an end, and yet there was not a life lost. Aside from heavy loss sustained by Messrs. Guffey, Galey & Lucas in the way of hotel, buildings, rigs and machinery, this fire may be considered as a blessing, since it removed \* \* \* the constant menace that the proximity of the oil lake was giving.

"The firm of Guffey, Galey & Lucas has been absorbed and is now known as the J. M. Guffey Petroleum Company of Pittsburg. Mr. J. M. Guffey is president and Messrs. Galey and Lucas are directors and heavy stockholders. \* \* \*

"This pioneer firm in Texas have a pipe line extending from their wells near Beaumont to Port Arthur, a large number of oil tanks—the largest ever constructed—a loading rack, a model pumping station, a number of barges, a large number of tank railroad cars and 1,000,000 acres of oil land. \* \* \*

Hon. L. T. Dashiell, in an article written in September, 1901, says: " \* \* \* Within four miles of this little city (Beaumont) there are fifty-odd oil gushers, the smallest of which is larger than any other well ever discovered in the world outside of this district. A 35,000-barrel tank has been filled from one of these wells in twelve hours and the same well will produce in a given time as much oil as all the wells in the State of Pennsylvania, while the fifty-odd gushers are capable of producing in ten days as much oil as the wells of West Virginia, California, Indiana and Ohio have produced in the last fifty years. The production of these fifty-odd gushers, if sustained for one year, is equal to 364,000,000 tons of good steam coal, and 364,000,000 tons of good steam coal, delivered at the Atlantic or Gulf coast, is worth more than \$780,000,000. The actual cost of producing this oil, under normal conditions, will not exceed a fifth of a cent per barrel, while the ability of the producers to handle it can not be crippled by hostile combinations of capital because of the proximity of the field to the deep-water ports of the Gulf of Mexico. The mind staggers when confronted with the fact that within an area of one hundred acres of ground enough petroleum can be found to run every factory in the Union and furnish fuel for every steamer and war ship that carries at its masthead an American flag."

"On Spindletop Heights," says the *National Oil Reporter* of October 10, 1901, "there are now sixty-five gushers, any one of which is equal to the famous "Lucas geyser." The following is a partial list of gushers, with the date of their coming in:

Name.	1901	Owner.
1 Lucas .....	Jan. 10.....	Guffey Co.
2 National (Beatty).....	Mar. 26.....	National Oil and Pipe.
3 McFaddin No. 1.....	Mar. 29.....	Guffey Co.
4 Gladys No. 1.....	Apr. 3.....	Guffey Co.
5 Higgins No. 1.....	Apr. 16.....	Higgins Co.
6 Gladys No. 2.....	Apr. 8.....	Guffey Co.
7 Heywood No. 1.....	Apr. 18.....	Heywood Co.
8 Gladys No. 3.....	Apr. 26.....	Guffey Co.
9 Star and Crescent.....	May 3.....	Lone Star and Crescent Co.
10 Gladys No. 4.....	May 8.....	Guffey Co.
11 Heywood No. 2.....	May 25.....	Heywood Co.
12 McFaddin No. 3.....	May 26.....	Guffey Co.



Name.	1901.	Owner.
13 McFaddin No. 2.....	May 27.....	Guffey Co.
14 Heywood No. 3.....	June 24.....	Heywood Co.
15 Hogg-Swayne No. 1.....	June 26.....	Hogg-Swayne Syndicate.
16 Higgins No. 2.....	June 30.....	Higgins Co.
17 Columbia.....	July 11.....	Columbia Oil Co.
18 National No. 2.....	July 22.....	National Oil and Pipe Co.
19 Spindletop.....	July 31.....	Spindletop Oil Co.
20 Ground Floor.....	July 31.....	Ground Floor Co.
21 Gladys No. 5.....	Aug. 2.....	Guffey Co.
22 Yellow Pine.....	Aug. 2.....	Yellow Pine Co.
23 Cox-Josey.....	Aug. 7.....	Not Incorporated.
24 Manhattan.....	Aug. 8.....	Manhattan Oil Co.
25 Darragh.....	Aug. 9.....	Manhattan Oil Co.
26 Cattleman's.....	Aug. 9.....	Cattleman's Cons. Oil Co.
27 Beatty No. 2.....	Aug. 15.....	Beatty Oil Co.
28 Alamo.....	Aug. 18.....	Alamo Oil Co.
29 National No. 3.....	Aug. 19.....	National Oil and Pipe Line Co.
30 El Beaumont.....	Aug. 18.....	El Beaumont Oil Co.
31 Export.....	Aug. 16.....	Export Oil and Pipe Line Co.
32 Fountain Fuel.....	Aug. 22.....	Fountain Oil and Fuel Co.
33 El Paso.....	Aug. 23.....	El Paso Oil Co.
34 Merchants.....	Aug. 25.....	Joint well Merchants and Mechanics-Spangler.
35 Beaumont & Palestine.....	Aug. 24.....	Palestine and Beaumont Oil Co.
36 Miss.-Texas.....	Aug. 27.....	Miss.-Texas Oil Co.
37 Gladys No. 6.....	Aug. 28.....	Guffey Co.
38 Chalson No. 1.....	Aug. 28.....	Guffey Co.
39 Fagin.....	Aug. 30.....	Grace Federal Crude Co.
40 Fort Worth.....	Aug. 30.....	Fort Worth Oil Co.
41 M. K. & T. of Beaumont.....	Aug. 30.....	M. K. & T. Oil Co.
42 Drillers.....	Aug. 30.....	Drillers' Oil Co.
43 Beaumont Confed.....	Aug. 30.....	Beaumont Confed. Sts. Alleys.
44 Buffalo.....	Sept. 1.....	Buffalo Oil Co.
45 Gober.....	Sept. 3.....	Gober Oil Co.
46 Moore-Skinner.....	Sept. 7.....	Lucky Dime, Gladys, Ent, Victor.
47 Georgetown-Waco.....	Sept. 9.....	Georgetown-Waco Co.
48 Oteri.....	Sept. 13.....	
49 Eureka.....	Sept. 14.....	Eureka Oil Co.
50 Geyser-Kaltenbach.....	Sept. 14.....	Geyser Oil Co.
51 Trenton Rock.....	Sept. 16.....	Trenton Rock Oil Co.
52 Queen of Waco.....	Sept. 18.....	Queen of Waco Oil Co.
53 Star & Crescent.....	Sept. 19.....	Star & Crescent Co.
54 German-American.....	Sept. 21.....	German-American Oil Co.
55 King.....	Sept. 23.....	King Oil Co.
56 Paragon.....	Sept. 23.....	Paragon Oil Co.
57 Detroit-Beaumont.....	Sept. 24.....	Detroit-Beaumont Oil Co.
58 Alamo.....	Sept. 24.....	Alamo Oil Co.
59 Cincinnati-Beaumont.....	Sept. 24.....	Cincinnati-Beaumont Oil Co.

To A. D. Childress, Esq., Secretary of the Beaumont Oil Exchange and Board of Trade, acknowledgments are returned for the following letter in answer to certain numbered questions asked him in a letter of prior rate:

BEAUMONT, TEXAS, March 8, 1902.

*Mr. C. W. Raines, State Librarian, Austin, Texas.*

DEAR SIR: Replying to your letter asking numerous questions in relation to the oil field for data to be incorporated in your YEAR BOOK FOR TEXAS, I beg to answer same as follows, to the best of my knowledge and guess, as some of the questions you ask are difficult to answer and have to be guessed at. I will answer them as propounded, to wit:

First. There are about 185 gushing oil wells in the proven territory on Spindletop Heights at the present time.

Second. There must be at least 50 being drilled at the present time, and the prediction is that more wells will be drilled this year than last.

Third. The area of proven field has been estimated for some time at about 200 acres. Recently, however, the field has been extended in a northerly direction about 560 feet and I suppose now we can safely estimate 225 acres in proven territory.

Fourth. Up to date there have been brought in only two actual gas

wells, although in a part of the Keith-Ward tract the gas pressure in the oil wells is very strong and they are called "gassers." At the same time they are considered heavy producers of oil.

Fifth. There are no dry holes on Spindletop Heights, or what is called proven territory.

Sixth. There are no abandoned wells on Spindletop Heights, but in territory outside where "wild-catting" has been done there are quite a number.

Seventh. At the present time there is only one refinery in operation, belonging to the J. M. Guffey Company, at Port Arthur, Texas, but they are building two others at a cost of over a million dollars. The Texas Fuel Oil Company have commenced a large refinery near Port Arthur, and W. E. Brice is reported as going to build still another on a 130-acre tract near the Guffey people. The Central Asphalt and Refining Company are building a \$250,000 plant at Grigsby's Bluff; Geo. A. Burt is building a large one just south of the city limits on a 89-acre tract. The Union Oil and Refining Company is organized and will build a \$200,000 plant near Beaumont. The Forward Reduction Company are building a large refinery on the Sabine river, south of Orange. In all there are nine refineries that will surely be constructed right away and most of them have made initial preparations, and there are numerous others that are talked about and will doubtless materialize soon.

Eighth. There are two pipe lines to Port Arthur, and one building, making three in all, and one to Sabine Pass, and others in contemplation, besides various pipe lines to the different loading racks along the railroads.

Ninth. It is impossible to estimate the number of storage tanks that have been constructed here and in course of construction in or near the proven territory. The J. M. Guffey Company, at Beaumont, El Vista, and Port Arthur, have nearly one hundred tanks, holding from 37,500 barrels to 55,000 barrels each, and at the present time there must be stored in steel tanks 2,500,000 barrels of oil. Numerous steel tanks are being constructed, as well as underground tanks, which are becoming popular and are being built to hold all the way from 200,000 to 1,000,000 barrels.

Tenth. There must be at least 3,000 tank cars now in use and numerous others contracted for. One company is said to have contracted for 1,000 tank cars alone.

Eleventh. The Guffey Company have a number of ocean steamers in service between Port Arthur and Liverpool, among them the Cardium and Atlas, the two largest oil steamers in the world, and it is simply impossible to estimate the number of tank steamers equipped and being equipped for the oil trade from the Beaumont field.

Twelfth. The Santa Fe and Southern Pacific Railroads, as well as the International & Great Northern and Kansas City Southern are equipping their engines as fast as possible and building storage tanks along their lines for the purpose of using Beaumont crude oil as fuel.

Thirteenth. It is estimated that over 5,000,000 barrels of oil were produced and shipped out of the Beaumont oil field during the year 1901. The demand is increasing at an enormous rate and if transportation could be furnished it is freely predicted that the oil companies, if they were assured of transportation, could ship out on orders in thirty or sixty days at least 2,000 cars per month.

Fourteenth. It is impossible to estimate the number of contracts for oil now on hand by the numerous companies here in this field.

I have endeavored to give you the very best information in reply to your numerous questions and you will appreciate the difficulty in the present unorganized state of affairs and that a number of my estimates are approximate.

Very truly yours,

A. D. CHILDRESS,  
Secretary.

At present Beaumont has the Southern Pacific, the Kansas City Southern, the Gulf, Colorado & Santa Fe, the Gulf, Beaumont & Kansas City, the Sabine & East Texas, and the Beaumont Wharf & Terminal Railways.

The city has waterworks, electric lights, a superb new Federal building, and is rapidly assuming metropolitan proportions. No good can come to the bustling, thriving community at which all Texas will not rejoice, for their fortunes are united with those of the rest of the State by the double ties of natural affection and mutual interest.

Total oil produced in the world during the year, 138,000,000 barrels (or 378,000 barrels a day), of which Russia produced 68,000,000, the United States 58,000,000, the Dutch East Indies 3,000,000, Austria-Hungary 2,500,000, Roumania about 2,000,000, and eight other countries a total of 5,000,000. In other words, the United States produced 58,000,000, and all other countries combined, 80,000,000 barrels. If Mr. Edmond's estimate is correct, that the first nine wells in the Beaumont field can yield more than 58,000,000 barrels per annum, it is certain that the wells since bought in are capable of yielding more than 80,000,000; that the Beaumont field more than doubles the world's available supply; and that the United States has, at one leap, passed not only from second to first place as regards petroleum production, but to a position where the combined production of all other countries is dwarfed to comparative insignificance and where American producers can dominate prices and undersell in any market.

Of the total amount produced in the United States in 1900, about 92 per cent. (53,000,000 barrels) was produced by the eastern field, which extends through Ohio, West Virginia, Pennsylvania, Indiana, and New York. Of the other 8 per cent. (5,000,000 barrels) California produced 4,000,000, the Corsicana field 829,559, and Colorado, Kansas, Kentucky, and Wyoming the remainder.

The total production in the United States from 1859 (when the first oil well was successfully sunk in Pennsylvania) to 1890, inclusive, was considerably more than 1,000,000,000 barrels, valued at over \$1,200,000,000.

Of the total production in the eastern field about 22,000,000 barrels were produced by the Standard Oil Company, and 10,000,000 purchased by that company from independent producers.

That the financial returns realized from oil production are large may be judged from the fact that the Baku Naphtha Company, of Russia, paid to its stockholders a 50 per cent. dividend, and the Caspian Societe, of Russia (both in the famous Aspheron Peninsula) paid 78 per cent. dividend in 1900, and the Standard Oil Company, of the United States, dividends aggregating fully as much. The stock of the great companies is practically not for sale. When offered, it is eagerly bought at from \$700 to \$800 per \$100 face value.

The eastern field of the United States, extending over such a great area, has necessitated the expenditure of over \$125,000,000 to provide pipe lines and other facilities for getting the oil to home markets and to the seaboard for shipment coastwise and abroad.

The Russian field (production in 1900, 68,752,240 barrels) is located near Baku, on the Caspian Sea (an inland body of water with no outlet) and 620 miles from tide-water on the Black Sea. The oil is transported by rail to the Black Sea and to the Volga river and there loaded.

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### R. J. ONDERDONK, SAN ANTONIO.

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This accomplished artist, whose oil portraits of the late Hon. D. B. Culberson and of ex-Governor and present United States Senator C. A. Culberson, in the State capitol, have been subjects of favorable comment with all who have viewed them, was born in Van Boecklan Hall, near Baltimore, Md., in 1853.

His father, Henry Onderdonk, was born in New York; was descended from Adian Van der Donck, who published in 1656 a history of the New Netherlands; was at one time President of Maryland Agricultural College; was later for a number of years Head Master of the College of St. James, Maryland; and died in 1895.

His mother, whose maiden name was Miss Harriette Stevens Henry, was born in Somerset county, Md., and died in 1861.

The first evidence of artistic talent shown by Mr. Onderdonk was displayed when a boy in school by sketching teachers and fellow students in the back of his text-books. However, he did not seriously study art until he was twenty years of age, at which time he went to New York and entered the National Academy of Design, where he spent two years under the instruction of Wilmoth. He then went to the Art Students' League, where his instructors were Walter Shirlow and Carroll Beckwith until the last year of his student life, which was passed under the direction of William M. Chase.

The first part of his artist career was in New York City. Since 1880 he has resided in San Antonio, with the exception of five years spent in Dallas.

He was married to Miss Emily Rogers Gould in 1881 and has three children: Julian, now an artist in New York; Eleanor Rogers, and Latrobe. His wife is descended from five generations of colonial Governors of Rhode Island by the name of Wareton, and is a most intelligent and charming lady, whose sympathy with his work has supplied him with the stimulus needed to command success.

He has been principally engaged at San Antonio in conducting an art school and in portrait painting. Besides the portraits of Hons. D. B. and C. A. Culberson already mentioned, he has painted portraits of prominent people in nearly every section of the United States. Among those of Texans, his portrait of Hon. Gustave Schleicher stands among the first. He now has a commission to paint a portrait of Hon. R. Q. Mills for the Confederate Museum, Richmond, Va.

He executes landscapes, fruits, flowers, and still life equally as well as portraits.

He is now engaged on a large historical picture, "The Death of David

Crockett," and is designing other historical studies to be painted later.

His work has a naturalness, a richness and harmoniousness of coloring and that peculiar and distinctive finish that bespeaks the true artist and that can not be counterfeited.

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### ORPHANS' HOME, CORSICANA.

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Established under an act approved April 4, 1887. The origin of the institution dates from the passage of an act approved August 30, 1856, setting aside 100,000 acres of the public domain for its support. The war between the States coming on, and various subsequent causes, prevented further action being taken until 1887.

T. H. Bowman, Superintendent, \$1,500 per annum; Mrs. Mollie T. Bowman, Matron, \$540 per annum; Board of Trustees: W. D. Haynie, Chairman, R. H. Daniel, J. W. Edens, and J. H. Haden.

Total appropriation for support of the institution for the six months ending August 31, 1901, \$21,341.33; for the two years ending August 31, 1903, \$29,572. Included in the appropriation for the six months ending August 31, 1901, was \$6,092.88 to cover deficiencies for the year ending February 28, 1901.

The following facts are gleaned from the Superintendent's and Trustees' latest published report (dated September 1, 1900), to the Governor: children in the home, 304; homes provided for children during the year covered by the report, 7; children adopted, 6; ran away, 7; died, 6; returned to relatives, 65. The Trustees say:

"The statute seems practically silent as to when and how children may go out from the Home. Our rule has been: First, they may be adopted under the laws of the State. In this way only a few very young children are taken out. Second, the near relatives may withdraw them by making proof under oath that they are able to care for and educate them. Third, homes are provided for the children who have completed the course of study in our school.

"\* \* \* We have continued the practice of the former Board and admitted some children who had one living parent, when affidavit was made by two citizens before the county judge that said parent was physically unable to earn a support for the child.

"Under this head we desire to state that we have endeavored to make it known that the Home was a State institution, created and maintained for all indigent orphan children in Texas who might desire admission.

"\* \* \* The Superintendent and Matron have worked hard and faithfully to carry on this great work, and have measured up well to the manifold duties and great responsibilities of their positions."

Dr. Bowman<sup>1</sup> took charge of the Home as Superintendent February 2, 1899, succeeding Colonel W. A. Wortham, who had filled the position for eighteen years. Colonel Wortham's predecessor was J. C. Gaither, the first Superintendent of the institution.

<sup>1</sup>Dr. Bowman resigned March 12, 1902, and J. H. Haden was elected to succeed him by the Board of Trustees.

## PANAMA.

MRS. V. O. KING.

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The star of the American which leads him in ever varying circles over the earth brings him back at last to his true place, laden with the treasures of many countries.

Pursuing this vagrant destiny, about the time when the Mexican birds come to summer it with us, and the fireflies to spangle the night with their emerald green light, we left the charming old city of San Antonio de Bexar. This city, set in its crown of low hills, was in its renaissance of prosperity; Nature, too, was bursting into spring loveliness, with the unfolding of the fragrant blossoms, and sensitive leaves of mimosas, along its clear, green, tortuous river. The Alamo City, its soil hallowed with the blood of heroes, had a tragic romance about it which made it a fitting spot whence to take leave of one's native country.

We were going to Colombia, almost as much a *terra incognita* to us boreals as when the original discoverer sailed away from the known in search of an unknown world.

Taking ship at New Orleans, we were soon gliding down the Mississippi, past plantations with dwellings deep in the shade of live oaks, on through the famous Eads jetties, and out into the Gulf.

Nearing Cuba a brilliant bird alighted on deck. It is related of Cortez that, when in these tropical waters, he was at one time almost in despair and prayed to his patron saint for help. Saint Peter sent him a white dove and shortly after he sighted San Domingo.

After seven days we awoke one morning in the harbor of Colon. That part of the town called Aspinwall lay before us. Cocoonut trees furnished partial shade, and the waters of the Gulf rolled in, casting upon the beach its spoils of seaweeds, coral and shells.

Having disembarked we prepared to reach our hotel. There was only one old public hack in Colon, and, learning that we must not lose sight of our baggage, the passengers walked the short distance to the hotel, attended by our baggage in charge of fierce-looking negroes, reveling in Jamaica dialect.

The hotel, a frame building, was quite comfortable, with rather good furniture, fine French cooking, and excellent Bordeaux, and with genuine French gentlemen to enjoy it, for Lesseps had not yet failed in his great enterprise. The colored waiter, slippered and side-whiskered, moved noiselessly about with his also genuine green turtle soup, fit for the palate of an epicure.

The Pacific and the Atlantic have here only the little barrier of about fifty miles between them. On the bosom of one all is peace, while our recent trip illustrated the turbulence of the other. So it seemed on a small scale to us in this quiet retreat, separated only by its plank walls from such boisterous commotion without. The dirty streets were a babel of confused sounds in which the shrill car whistles, the rat-a-tat of marching soldiers (for there was a revolution), the pigeon English, and French joined to make the discord.

In the crowd was a gay commingling of negresses in calico gowns, bandanas on their heads in the turban fashion of the old South, with

fantastic effects of green parasols; red slippers; white grass sandals, people with monkeys; parrots; armsful of sugar cane; nondescripts. Crowds were bathing in the surf; ships of various nations lay at anchor far out from shore, and foreigners were making their way to their work on the canal. The sick and the dying were to be seen on the sidewalks, and the dead on their way to the cemetery on Monkey Hill.

At the opposite end of the town from Aspinwall was the pretty French village of Lessep's creation, following the oval bay and to the right of the canal.

In these suburbs gentle peace folds her wings and rests from the turmoil of which she was born. Here a marble statue of Columbus stands on the strip of land which unites the two Americas; to his right the steam cars, on his left the canal. A hero of great enterprises, he seems surveying the future which his genius made possible; the symbol of progress to all nations, his gaze turned to the western horizon, while his feet are firmly planted in the rock.

A railroad trip across the isthmus left the impression on our party that those mountains would be an everlasting bar to the success of the canal. Thus far time has endorsed this opinion.

The building of a canal between the two oceans would affect Texas more beneficially than any other State in the Union. Her geographical position, extent of Gulf coast; her agricultural resources; fine building granite; fuel oil; coal, gold, and silver only hinted at; beds of copper and iron of the highest grades actually in existence, besides a climate matchless for sanitation, indicate for her a splendid future if the canal is cut.

When there is a great commercial need like this, it will certainly be achieved. The question is not of this particular canal, but of a waterway which will bind the people of our Union together by the great bond of frequent intercourse and mutual exchange of commodities under laws which can be equally and speedily effective wherever the sun shines on our unfurled flag of liberty.

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### BOARD OF PARDON ADVISERS.

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Rev. R. K. Smoot and Gen. Henry E. Shelley; salary \$1,200 each per annum. Office created by an act of the Legislature approved May 2, 1893. Appointment of members of the Board made by the Governor, with the consent of the Senate. Duties: To examine all petitions and other papers filed in applications for pardons, and report in writing to the Governor whether pardons should, or should not, be granted, setting forth the reasons for conclusions.

Rules for the government of the Board are whatever the executive may see fit to prescribe, as the sole object had in view is to relieve him, as far as practicable, of the onerous and time-consuming labor of according personal hearings and going through the immense mass of petitions, affidavits, letters and other papers in pardon cases.

Under the rules now in force, when the Board makes its report on a case, its connection therewith ceases. Its members, though often requested by interested persons, are not permitted to make any oral rec-

ommendation relative thereto, nor any further recommendation in writing unless new evidence is submitted.

From time to time, as his other duties permit, the Governor takes up the cases and acts upon them; as seems to him best in accord with the dictates of justice and humanity and the purpose had in view in vesting the pardoning power in the executive by the organic law of the State.

The first Board appointed consisted of Ex-Governor F. R. Lubbock and Judge L. D. Brooks, who served until succeeded by Rev. W. C. Denison and Judge W. B. Dunham February 1, 1895. Rev. R. K. Smoot and Gen. Henry E. Shelley were appointed February 1, 1899, by Governor Sayers, and were re-appointed by him January 17, 1901, and confirmed by the Senate January 19, 1901.

The Act of May 2, 1893, provided that members of the Board should be paid \$5.00 a day for not exceeding 100 days per annum. An act approved April 3, 1897, fixed the number of days at 300 and the pay at \$4.00 per day, and is the law that at present governs the compensation of the members of the Board.

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## PENITENTIARIES.

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J. S. Rice, Superintendent. Penitentiary Board: Wm. Clemens, John B. Peyton and S. M. Fry; salary \$6.00 per day and actual traveling expenses while engaged in the performance of their duties as members of said Board.

The penitentiaries are under the control of the Penitentiary Board, appointed by the Governor and confirmed by the Senate. The Governor is president of the Board. This Board is authorized by law to purchase lands for the establishment of State farms, with the consent of the Governor, and to use therefor money out of the permanent school fund, giving certificates of indebtedness, countersigned by the Governor, bearing five per cent. interest and payable (as to principal) in twenty annual installments. The Chaplain and other under-officers entrusted with the discharge of administrative duties report to the Assistant Superintendents, and the Assistant Superintendents to the Superintendent. The Superintendent and Financial Agent report to the Board, and the Board to the Governor.

Article 3658 of the Revised Civil Statutes provides: "The Board shall cause to be made biennially a full and complete inventory and valuation of all lands, buildings, machinery, tools, live stock and property of every description belonging to the penitentiaries and penitentiary system, which inventory and appraisal shall be made just previous to the date of the biennial report, and a full synopsis thereof shall be contained in the biennial report of the Financial Agent."

The Superintendent, Assistant Superintendents, Financial Agent, and inspectors are appointed by the Governor, by and with the advice and consent of the Senate. The Superintendent is required to make a monthly report to the Governor, showing fully the condition and treatment of convicts, and the changes in the prison population during the month. The physicians and chaplains are appointed by the Board. The under officers and employes are appointed by the Assistant Superintendents, with the approval of the Superintendent.



The Financial Agent is the purchasing, selling and disbursing agent of the penitentiaries, and receives all money paid for the hire of convicts or sale of articles manufactured at the penitentiaries. Suits for moneys due, or property belonging to, the penitentiaries are brought in his name, for the State.

The State farms are managed by sergeants detailed for that service.

Salaries: Superintendent, \$2,500 per annum in addition to \$500 for traveling expenses; Assistant Superintendents at Huntsville and Rusk, \$1,700 and actual traveling expenses each; Assistant Superintendent in charge of Reformatory, \$1,800 and board for himself and family not to exceed \$500 per year, and fuel, lights, water, and housing; inspectors, \$2,000 (said amount including traveling expenses); physicians, \$1,000; chaplain, \$600; Financial Agent, \$3,000.

Appropriation made for the support of the penal institutions of the State by the Twenty-seventh Legislature for the six months ending August 31, 1901, \$41,585; for the two years ending August 31, 1903, \$123,200.

The report of Superintendent Rice for the month of December, 1901, shows a total of 3,896 convicts on hand December 1, 1901; new received during the month, 200; recaptured, 1; returned by sheriffs, 5; making a total of 4,074; out of this number 102 were discharged during the month, 62 pardoned, 5 escaped, 5 died, 4 delivered to sheriffs, leaving a balance on hand December 31 of 3,896. They are distributed as follows: State Insane Asylum, 1; contract forces, 1,416; share forces, 747; railroad forces, 232; Harlem State farm, 218; Wm. Clemens State farm, 133; Wynne State farm, 50; Rusk, 493; Huntsville, 606.

The monthly report for December of Financial Agent W. M. C. Hill shows a balance on hand since last report of \$16,327.31; receipts for December, \$76,931.67; disbursements for the same period, \$68,381.01, leaving a balance on hand of \$34,977.97.

In his latest biennial report, dated November 1, 1900, Superintendent Rice says:

"It is with great regret that we are forced to record so many serious misfortunes and disasters to the system for the past twenty-one months, serious for the reason that they have involved the loss of life and property, and to a hurtful degree brought confusion and disorder repeatedly to every branch of the service, interfering with many plans for advancement and improvement; and where, under normal conditions, material progress seemed assured. To enumerate: On February 13, 1899, the Huntsville administration and cell buildings were burned, which was not only a heavy loss, but the rebuilding and repairs drew heavily upon the factories and shops for a number of skilled workmen and other laborers, thereby, to some extent, crippling the industries. The cost of rebuilding amounted to \$43,462.11. On March 24, 1899, the burning of the Dunovant sugar house brought another loss of 160 barrels of sugar and 26 barrels of syrup. Four months later, in July, came the great flood in the Brazos river, resulting in the loss of several convicts by drowning, the destruction of crops on a number of State and share farms, and necessitating the purchase of forage and seed, at a great cost to the system. December 3 of the same year another loss by fire of 79 bales of cotton occurred at the Farris share farm. In July of this year a small loss occurred by the burning of the fruit evaporator at the Rusk prison. The great storm of September 8th brought further losses, killing

one guard and twenty-three convicts. \* \* \* The fires were all accidental—careful investigation by the management holding the parties in charge blameless, and disclosing the fact that in each instance it was impossible to foresee or provide against these misfortunes. In the case of the Huntsville fire, which occurred on the 13th of February, it will be remembered that the weather at that time was unusually cold; the thermometer registering six to eight degrees below zero, freezing all pipes and hydrants, something that had never occurred before, and making them, for the time being, useless, while previously they had offered protection against all fires.

"\* \* \* In July of last year nearly every force along the Brazos river was driven from their camp prisons to the hills by the overflow, held in temporary buildings, and in some instances camped in the open ground without shelter, hence many escapes occurred that could not well have been avoided. Following the flood, there was an unusual amount of sickness, and the death rate increased. \* \* \*

"The property losses are given approximately as follows:

"Damage and loss by fire at Huntsville February 13, 1899..	\$ 43,462 11
"Fire at Dunovant farm March 22, 1899.....	2,535 00
"Floods month of July, 1899.....	97,287 18
"Fire at Farris farm December 3, 1899.....	2,376 00
"Storm September 8, 1900, and crops lost by boll weevils..	92,575 00

"Total property loss.....\$238,235 29

"Considering these heavy losses, and the confusion incident thereto, it should not be surprising that we cannot point to results satisfying to the management, yet, having passed through all these difficulties with a comfortable cash balance left on hand for present needs is unmistakable proof, we think, that the finances have been handled with prudence and marked ability.

"\* \* \* The aim has been, and is, to treat all convicts humanely and with every consideration consistent with the rules under which they are governed. Discipline has been maintained without resorting so frequently as heretofore to the severer modes of punishment. Wholesome food, well prepared, and in abundance, has been furnished. Clothing has been sufficient in quality and quantity, the bedding comfortable, and every precaution taken looking to cleanliness of person, as well as the sanitary conditions surrounding the prisons and camps. Medical attention has been promptly given at all times. Religious services held at the prisons on Sunday and some of the outside camps. All within our power has been done to benefit the convict mentally, morally and physically, and that no mutiny or disturbance of consequence has occurred either at the prisons or at the outside camps is an indication of the fair treatment the convicts receive from the officers having them in charge. Sergeants and guards who have been found to be cruel and abusive in their treatment of the convicts have been dismissed from the service, and an earnest effort made to rid the system of any but sober, faithful and competent men. \* \* \*

"The Rusk penitentiary has for years depended entirely upon the iron industries for the employment of the inmates. The operation of the blast furnace, pipe foundry and machine shop, taken altogether, have

been operated at a heavy loss, and the determination to discontinue them and to substitute industries more profitable is, without question, a wise decision, and better results will follow. A furniture plant has been installed at this prison that will afford employment to two hundred men when operated to its full capacity. The management has under consideration now a proposal to hire a hundred men to be worked on the inside of the prison, making cane chairs, and within the next few months it is thought profitable employment can be found for the inmates.

"The Harlem State farm consists of twenty-seven hundred and eighty-eight acres, of which twenty-three hundred acres is in a high state of cultivation and well drained—about five hundred acres of pasture. The crops on this farm consist of sugar cane, cotton and corn. \* \* \* The class of labor used on the farm is such as cannot be used on contract farms. Monthly average for the two years just ended is one hundred and eighty men. The farm has been a success from the beginning, last year being the only failure, and attributable entirely to the July flood, which covered the entire property, destroying all crops, leaving only a little more than cane sufficient to plant for this season's crop.

"Net proceeds derived from the sale of crops raised on the \* \* \* farm from 1887 are as follows:

"Crop of 1887 (first year).....	\$13,404 64
"Crop of 1888.....	51,276 05
"Crop of 1889.....	38,371 46
"Crop of 1890.....	65,258 06
"Crop of 1891.....	23,789 14
"Crop of 1892.....	38,186 90
"Crop of 1893.....	28,280 69
"Crop of 1894.....	43,873 48
"Crop of 1895.....	45,372 62
"Crop of 1896.....	56,532 00
"Crop of 1897.....	19,806 18
"Crop of 1898.....	17,635 08
"Crop of 1899.....	22,566 75
"Crop of 1900 totally destroyed by flood.	
"Estimated value of crops on hand unsold October 31, 1900..	\$70,038 90

"On December 9, 1899, the system acquired by purchase and lease the William Clemens farm, consisting of eight thousand and two acres, fifty-four hundred and twenty-seven acres being bought and paid for at eight dollars per acre, and twenty-five hundred and seventy-five acres leased for two years at a rental of two dollars per acre for the cultivated land thereon, with an option to purchase at \$12.31 per acre.<sup>1</sup> This land is exceptionally fertile, located in what has long been known as the Sugar Bowl District of Brazoria county, situated between the Brazos and Bernard rivers, is susceptible of perfect drainage, has two and one-half miles frontage on the Brazos river, which carries a depth of water from twenty to thirty feet; is only fifteen miles above the mouth of the river, where ships drawing from fifteen to seventeen feet of water pass over the bar, finding from thence to the landing in front of the farm a depth of water of about twenty-five feet.

<sup>1</sup>The 2,575 acres were purchased for the State by the Penitentiary Board December 11, 1901, at the price named. The option held enabled the State to purchase at a much lower price than is now asked for adjoining land.

"During the July flood of last year, five-eighths of this property was not touched by the overflow, but the cleared land next to the river, planted last year, was covered by water, and the crops thereon destroyed. However, on the higher ground there was raised sufficient corn for use until another crop can be gathered, and cane enough to seed between five hundred and seven hundred acres. Improvements have been greatly retarded by the misfortunes of the past year, which left us without means to go on with building and improvements. The prison building, and, with two exceptions, all others on the place, were blown down by the storm in September. It was at this farm that we lost nineteen men killed by the falling of the prison building, one of the strongest and most substantial structures we had, yet, being in the very path of the destructive winds, went, as did thousands of other buildings. The killing of the men was entirely unavoidable. No blame whatever can be charged against the sergeant and manager, Mr. J. E. Campbell, who has handled the many difficulties encountered in opening up the place with splendid judgment.

"The purchase of this farm for the State I hope marks the beginning of the end of the lease system. When the land has all been cleared and put in cultivation, four hundred convicts will be required to cultivate the place. Cane should be the principal crop raised. Corn and feed stuff in abundance for the use of the place, and rice, should be substituted for cotton, for the reason that it is more profitable, and so long as this section suffers from the presence of the boll weevil, cotton will undoubtedly be a failure. This farm, when the means can be furnished to develop it, will, in a few seasons, begin to bring the system large profits. I believe it to be the healthiest location in the lower Brazos country, and the best adapted and located for a State farm of any property I have seen. It is my opinion, and I firmly believe, that here is planted a branch of our penal system to which in future years the people of Texas will point with full approval, and upon which the present administration will have cause to look with just pride."

He then says that the Wynne farm is used as a hospital for all convicts who have consumption; that the female convicts are employed on the Johnson farm on the share system; that he is unalterably opposed to hiring convicts to contractors, either for wages on contract farms and railroads, or for shares of crops, and continues:

"The hiring of convicts under what is known as the lease system, where they are worked on farms, railroads, and in coal mines, has been condemned not only by prison men generally, but by every intelligent, disinterested citizen of the State who has felt disposed to investigate it. It is true that the greatest revenue to the system is derived from that source, but that is all that can be said in its favor. Some of the other Southern States have seen the folly of the lease system, and are placing their convict forces on State farms. The State of Louisiana, where for nearly thirty years the convicts have been worked under the lease system, is at this time reorganizing its penal system through a board of control, of which that able and talented gentleman and zealous worker, Col. C. Harrison Parker, is president, and who, after close inspection of several of the prison systems in the Southern States (Texas included), where a majority of the prison population is composed of negroes, has this to say in a statement lately given out, after condemning the lease system: 'Agriculture, then, must necessarily be resorted to to fully

utilize the prison labor of our State; and in this line no other State has equal opportunity. With the culture of cotton and cane, rice and corn, there is an ample field for employment of all that may come under the care of the Board, and it seems to me that to say that this labor cannot earn its own sustenance, well fed, well clothed and well housed, as they should be, would be to deny the basis upon which our State rests her best claims to prosperity and wealth.'

"He also says: 'When I visited Texas, in a brief interview I had with Governor Sayers, he said, "We have had lots of experience in Texas, and can advise you to go back home and buy farms at once."' The State of Mississippi has not only abandoned the lease system, but also given up share farming, and has authorized the purchase of fourteen thousand acres of land on which to work her convicts when present lease contracts expire.

"I mention the progress made by managers of Southern prisons for the reason that we can draw few lessons from the Northern institutions where the character of the prison population differs so widely from the criminal in the Southern prison. We cannot, therefore, except in few instances, apply Northern methods to Southern conditions. With the passing away of the lease system in Texas, whether it be to place the convicts on farms or confine them elsewhere to be worked on State account, there will come a day of better management, better discipline and better conditions, far more acceptable to the citizen and just to the convicts."

J. G. Smither, Assistant Superintendent in charge of the Huntsville penitentiary, says no lives were lost nor escapes made during the excitement attending the burning of the administration and cell buildings of that institution during the night of February 13, 1899, and continues:

"New and better buildings have replaced the ones destroyed by fire. In rebuilding, fifty-four (54) cells, accommodating one hundred and eight (108) convicts, were added in the room formerly used as a school-room, thus enabling a separation of the different races. The whites now occupy one building, the negroes another and the Mexicans the new cell building. The total cost of rebuilding and furnishing was \$43,462.11, of which amount \$35,974.38 represents the cash outlay and \$7,487.73 the convict labor.

"Among the permanent improvements is the large engine built at this prison, which now furnishes the motive power to all of the different shops by means of rope transmission, thus making a large saving in fuel, running expenses, etc., and allows the use in the shops proper of much labor heretofore used in running separate engines. The buildings occupied as engine-room and boiler-house were erected at a cost of \$3,644.75, \$3,027.25 being the cash outlay and the remainder convict labor. This includes the cost of the beds for boilers and engines.

"A telephone system connects the different offices and shops; also lines run to the Wynne farm and wood camp.

"A new railroad track scale has been built at a cost of \$1,401.96.

"A new boiler of increased capacity has been placed in the electric light building, together with a larger dynamo. The buildings are now well lighted with incandescent lights and the yard and walls with twenty-eight (28) large arc lights.

"The industrial enterprises of the prison remain under the same able managements as they were at the time of my last report, with the excep-

tion of the cabinet shop. \* \* \* Owing to the increased demand for their output, this department has been greatly enlarged during the past year. It is very gratifying to state that each and every one of the industries shows a gain in output during the past two years, and their earnings reflect credit on their respective foremen.

"\* \* \* Religious services are held weekly, and during the winter months night schools are held in the corridors of the cell buildings by the chaplain. Lack of space for school purposes limits the number attending to few. The library continues a source of pleasure and instruction to the inmates.

"The deportment of the prisoners has been good, and in but few isolated cases has it been found necessary to resort to severe punishment to secure and maintain discipline."

The estimated value of lands, buildings and permanent improvements at Huntsville penitentiary November 1, 1900, amounted to \$489,570.56.

Behind the administration building proper are rooms for guards' quarters; west, the cell building for negroes; east, the cell building for whites; and an annex, south of the east end of the whites' building, for Mexicans.

The estimated value of machinery and tools at the same time was \$93,902.36; of live stock, vehicles, harness, lumber and wood, \$24,502.04; of arms and ammunition, \$667; of fixtures and furniture in the various buildings, \$14,477.97; and of lands, live stock and material at wood camp, \$12,752.03. Wagons, buggies and furniture are manufactured; also cloth, shoes and other articles.

The library contained 2,791 volumes, independent of magazines, newspapers, etc., subscribed for.

In his report of the condition and operations of the penitentiary at Rusk, W. M. Lacy, Assistant Superintendent in charge, said:

"I wish to call your attention that there has been only twenty-three escapes from this prison and tributary camps for the past two years, eight of which were really only attempts at escape, having been recaptured within a very few minutes, thirteen being recaptured in a short time, leaving only two at large. This, I think, is the best showing made along this line in the history of the institution, while outside industries have been in operation.

"During the biennial period just closed, the Jim Hogg pipe foundry has been in operation 440 days, and has produced 7,392 tons of cast iron water pipe, making a daily average of 16.8 tons per day, having saved 96 per cent. of the pipe cast.

"Next I beg to make mention of the "Old Alcalde" blast furnace. \* \* \* It has been in operation 406 days, producing 9,800 tons pig iron, making a daily average of 24.56 tons. \* \* \* Permanent improvements have gone on at a very rapid pace during my administration. Two six-room cottages have been built on State land, at a nominal cost. A photograph gallery has been erected inside the walls, and supplied with modern photographic fixtures, where all inmates are photographed, giving two views together with register number.

"The State railroad has been extended one and one-half miles in order that we might reach the timber land near Camp Rice, which was abandoned last February, the force being transferred to the walls. \* \* \*

"Woodlawn farm is under the care of Sergeant Geo. C. Crenshaw, who, with a small force of second-class men, raise an abundance of vegetables.

This year the corn crop was not as good as was expected on account of the heavy rains in the early part of the spring. Tobacco was the main crop this year, and it was not entirely satisfactory, having grown 50,000 pounds. Of course, other things are grown, such as peas, beans and potatoes. Improvements of the new tobacco barn at Woodlawn to the amount of about \$1,000, most of which was furnished with a very little outlay of cash. \* \* \*

"We had an excellent fruit crop the past season, the peach crop being very fine, and they have been fed to the men both fresh and in pies all through the summer months; and besides, we have dried with our evaporator a great quantity for winter use. Our garden has been a success the past season despite the frequent rains during the spring and summer months. We have had an abundance of most all garden vegetables, such as tomatoes, potatoes, peas, beans, lettuce, etc., besides having about 5,000 bushels of sweet potatoes for winter use. \* \* \*"

The total value of buildings and permanent improvements at Rusk November 1, 1900, was \$448,018.57.

Value of ore and other lands near prison, \$28,643.31; right of ways, \$3,887; roadbed and rolling stock of railroad, tools, etc., \$131,979.99; live stock, \$5,987; fixtures, furniture, etc., in the various buildings, \$18,578.49; machinery and tools (in tin shop, pattern shop, paint shop, carpenter shop, wagon shop, blacksmith shop, machine shop, foundry, ice factory, planing mill, electric light plant, broom factory, charcoal ovens, fruit evaporator, saw mill, standpipe and appurtenances, brick yard, tailor shop, laundry, ore bed, fire-brick plant, tobacco factory, furniture factory, etc.), \$116,422.81; arms and ammunition, \$1,822; property at Camp Rice (transferred to prison), \$18,480.87; property at Woodlawn farm, \$13,733.50.

The prison library contains about 2,500 volumes. Various persons contribute newspapers, magazines, and other literature. There is a Christian Endeavor society in the prison. During the year the convicts realized \$250 from entertainments, and the money was used to buy additional books. The Sunday exercises included: literary school, 9 to 10 a. m.; Roman Catholic Sunday school, 9 to 10 a. m.; colored prayer meeting, 10:30 to 11:30 a. m.; general prayer meeting, 1:30 to 2:30 p. m.; band concert, 1:30 to 2:30 p. m.; preaching, 2:30 to 3:30 p. m.; and general Sunday school, 3:30 to 4:30 p. m.

The Reformatory at Gatesville owns 600 acres of land, of which 350 are in cultivation, 5 grounds surrounding buildings, and remainder pastures. Other land is leased and used for farming. The convicts are worked on the farms and in the prison tailor shop, shoe shop, engine room, laundry, bakery and paint shop, and as carpenters, blacksmiths, cooks, janitors, dairymen, house boys, waiters, hostlers, and other laborers.

L. J. Tankersley, Assistant Superintendent in charge of this institution, says in his report:

"During the summer of 1889 I secured the services of a practical shoemaker, and put four boys under his charge to teach them to make shoes. At the end of two months his services were dispensed with, and the boys have since then been making all the shoes worn by inmates.

"In May, 1899, I had the misfortune to lose by fire the State barn and a large quantity of feed, together with all farm harness.

"As soon as the funds appropriated by Legislature were available, I

employed three carpenters and put a number of boys under their supervision to help, as well as learn something of the carpenter trade, during the erection of the new barn.

"Since that time these boys have done the major part of the carpenter work about the place; have built four houses and two large sheds.

"Our new barn is 48 feet by 100 feet, having stalls for thirty-six head of stock and ample capacity for feed necessary for all stock on hand.

"I have recently bought new machinery for the laundry, and a new dynamo to meet the demand for more light about the premises.

"Utilizing the appropriation for the purpose, I bought last year a cane mill and evaporator pans, and made 1,000 gallons of sorghum molasses; this year have made 1,300 gallons.

"The funds appropriated for a bathing pool have also been used, and we now have a large cemented pool, well housed in, where the boys can bathe winter or summer."

The two main buildings contain dormitories, dining rooms, school rooms and living rooms for guards. (Schools are maintained five months in the year.) The other buildings are engine room and chapel; hospital now (1902) in course of erection; dwelling for Superintendent; and barns and wagon sheds. The institution has its own waterworks and electric light plants. Church services are held three times a week. Discipline, while humane, is strict.

Financial Agent W. M. C. Hill in his report, November 1, 1900, gives the following statement of the

**Estimated Value of Lands, Buildings, Permanent Improvements, and all Other Property Belonging to Texas State Penitentiaries, November 1, 1900.**

Huntsville penitentiary, wood camp and tobacco farm.....	\$ 1,074,650 89	
Rusk penitentiary, Camp Rice and Woodlawn Farm .....	1,093,951 57	
State farms .....	456,243 51	
Contract farms .....	19,668 87	
Share farms.....	164,326 79	
Railroad forces.....	6,962 39	
State penitentiaries, cash on hand.....	66,273 00	
Total value of penitentiary property, November 1, 1900.....		\$ 2,882,076 82
Total value of penitentiary property, November 1, 1898.....		2,665,148 42
Increase in value of property since November 1 1898.....		\$ 216,928 40

The average cost of maintaining the prison population (including salaries of officers, transportation, actual maintenance and all other expenses) was, according to Mr. Rice, \$11.19 per month.

The following is a list of the Superintendents and other principal officers of the penitentiaries from the beginning to the present time:

	Office.	Appointed.	Qualified.	Remarks.
A. H. Cook .....	Superintendent.....	.....	Apr. 1, 1848	
John Brown.....	Com'r to locate.....	June 15, 1848	June 26, 1848	
Wm. Menifee .....	Com'r to locate.....	June 15, 1848	June 26, 1848	
Wm. Palmer.....	Com'r to locate.....	June 15, 1848	June 26, 1848	
Henderson Yoakum.....	Director.....	July 31, 1848	July 31, 1848	Resigned.
James M. Maxey.....	Director.....	July 31, 1848	July 31, 1848	Resigned.
M. C. Rogers.....	Director.....	July 31, 1848	July 31, 1848	Resigned Nov 3, 1848.
James Gillespie.....	Superintendent.....	Feb. 11, 1850	Feb. 12, 1850	
James Gillespie.....	Superintendent.....	Feb. 9, 1854	Feb. 11, 1854	
James H. Murray.....	Superintendent.....	Feb. 6, 1858	Feb. 6, 1858	
John S. Besser.....	Financial Agent.....	Mar. 5, 1858	.....	Office newly created.



	Office.	Appointed.	Qualified.	Remarks.
Thos. Carothers .....	Superintendent...	Dec. 29, 1859	Jan. 2, 1860	To take effect Nov. 30, 1861.
M. C. Rogers .....	Financial Agent..	Dec. 29, 1859	Jan. 2, 1860	
John S. Besser .....	Financial Agent..	Nov. 12, 1861	.....	
S. B. Hendrick .....	Financial Agent..	Dec. 3, 1863	Dec. 8, 1863	
Thos. Carothers .....	Superintendent...	Dec. 3, 1863	Dec. 23, 1863	
Thos. Carothers .....	Superintendent...	Nov. 11, 1865	.....	Appointed by Gov. A. J. Hamilton.
Geo. W. Sinks .....	Financial Agent..	Sept. 2, 1865	.....	Appointed by Gen. A. J. Hamilton.
James Gillespie .....	Superintendent...	Aug. 21, 1866	Aug. 31, 1866	Died without qualifying.
David C. Dickson .....	Financial Agent..	Aug. 21, 1866	Aug. 31, 1866	
Thaddeus C. Bell .....	Superintendent...	Aug. 30, 1867	.....	
Wm. Garretson .....	Financial Agent..	Aug. 30, 1867	.....	
Geo. W. Sinks .....	Financial Agent..	Nov. 4, 1868	.....	
A. T. Munro .....	Financial Agent..	Jan. 23, 1869	Feb. 3, 1869	Appointed by Gen. J. J. Reynolds.
Maj. A. M. Dudley, U. S. A.	Superintendent...	Nov. 30, 1869	.....	
A. J. Bennett .....	Superintendent...	July 12, 1870	Sept. 28, 1870	
A. G. Malloy .....	Financial Agent..	July 11, 1870	.....	
L. W. Stevenson .....	Financial Agent..	Aug. 27, 1870	Sept. 3, 1870	
Joseph W. Talbot .....	Financial Agent..	Feb. 10, 1871	Mar. 4, 1871	Resigned June 26, 1879.
W. L. Moody .....	Financial Agent..	Mar. 14, 1874	.....	
Thos. J. Goree .....	Superintendent...	Apr. 3, 1877	.....	
Thos. J. Goree .....	Superintendent...	Feb. 10, 1879	.....	
W. W. Lang .....	Asst. Supt. ....	Apr. 3, 1879	.....	
D. M. Short .....	Asst. Supt. ....	June 26, 1879	.....	
J. W. Middlebrook .....	Asst. Supt. ....	Oct. 11, 1879	.....	
J. W. Middlebrook .....	Asst. Supt. ....	Jan. 26, 1881	.....	
Thos. J. Goree .....	Superintendent...	Feb. 26, 1881	.....	
Thos. J. Goree .....	Superintendent...	Mar. 18, 1881	.....	
Thos. J. Goree .....	Supt. Peniten's....	Jan. 18, 1883	.....	
Ben E. McCulloch .....	Assistant Supt., Huntsville.	Jan. 18, 1883	.....	
D. M. Short .....	Asst. Supt., Rusk.	Jan. 18, 1883	.....	
Haywood Braham .....	Financial Agent..	Apr. 21, 1883	.....	
J. M. Daniels (vice Short.)	Asst. Supt., Rusk.	June 4, 1883	.....	
Frank P. O'Brien (vice Daniels).	Asst. Supt., Rusk.	Mar. 13, 1884	.....	
Thos. J. Goree .....	Supt. Peniten's....	Feb. 28, 1885	.....	
F. P. O'Brien .....	Asst. Supt., Rusk.	Mar. 10, 1885	.....	
Ben E. McCulloch .....	Assistant Supt., Huntsville.	Mar. 10, 1885	.....	
W. G. Parish .....	Financial Agent..	Jan. 20, 1887	.....	Reformatory established under an act of the Legislature approved Mar. 20, 1887.
Thos. J. Goree .....	Supt. Peniten's....	Jan. 20, 1887	.....	
Ben E. McCulloch .....	Assistant Supt., Huntsville.	Jan. 20, 1887	.....	
W. N. Ramey .....	Asst. Supt., Rusk.	Apr. 29, 1887	.....	
James Smither .....	Assistant Supt., Huntsville.	Nov. 20, 1888	.....	
Ben E. McCulloch .....	Supt. H. of C. and R. at Gatesville.	Nov. 20, 1888	.....	
Thos. J. Goree .....	Supt. Peniten's....	Jan. 23, 1889	.....	
Jas. A. Smither .....	Assistant Supt. of Penitentiaries.	Jan. 23, 1889	.....	
E. G. Douglass .....	Assistant Supt. of Penitentiaries.	Jan. 23, 1889	.....	
W. G. Parish .....	Financial Agent..	Jan. 23, 1889	.....	
R. W. Finley .....	Financial Agent..	Jan. 27, 1891	Jan. 29, 1891	
E. G. Douglass .....	Asst. Supt., Rusk.	Jan. 27, 1891	Mar. 7, 1891	
J. G. Smither .....	Assistant Supt., Huntsville.	Jan. 27, 1891	.....	
Jas. F. McGuire .....	Supt. House of Cor. and Ref.	Feb. 13, 1891	Feb. 23, 1891	
L. A. Whatley .....	Supt. Peniten's....	Apr. 13, 1891	Apr. 30, 1891	
L. A. Whatley .....	Supt. Peniten's....	Jan. 21, 1893	Feb. 10, 1893	
Jas. P. Gibson .....	Asst. Supt., Rusk.	Jan. 21, 1893	Mar. 28, 1893	
J. G. Smither .....	Assistant Supt., Huntsville.	Jan. 21, 1893	Jan. 25, 1893	
R. W. Finley .....	Financial Agent..	Jan. 21, 1893	Feb. 9, 1893	
J. F. McGuire .....	Supt. Ref. and H. of C.	Jan. 21, 1893	Jan. 30, 1893	
L. A. Whatley .....	Supt. Peniten's....	Jan. 17, 1895	Jan. 17, 1895	
J. P. Gibson .....	Asst. Supt., Rusk.	Jan. 17, 1895	Jan. 27, 1895	
J. G. Smither .....	Assistant Supt., Huntsville.	Jan. 17, 1895	.....	

	Office.	Appointed.	Qualified.	Remarks.
Joseph S. Rice.....	Financial Agent.	Jan. 17, 1895	.....	
J. F. McGuire.....	Supt. Ref. and H. of O.	Jan. 16, 1895	.....	
L. A. Whatley.....	Supt. Peniten's....	Jan. 21, 1897	Feb. 1, 1897	
J. G. Smither.....	Assistant Supt., Huntsville.	Jan. 21, 1897	Feb. 1, 1897	
J. P. Gibson.....	Asst. Supt., Rusk.	Jan. 21, 1897	Feb. 1, 1897	
J. S. Rice.....	Financial Agent.	Jan. 21, 1897	Feb. 1, 1897	
J. F. McGuire.....	Supt. Ref. and H. of O.	Jan. 22, 1897	Feb. 19, 1897	
J. S. Rice.....	Supt. Peniten's....	Jan. 18, 1899	Feb. 9, 1899	
J. G. Smither.....	Assistant Supt., Huntsville.	Jan. 18, 1899	Feb. 10, 1899	
W. M. Lacey.....	Asst. Supt., Rusk.	Jan. 18, 1899	Mar. 3, 1899	
L. J. Tankersley.....	Assistant Supt. in charge of H. of O. and Ref.	Aug. 26, 1899	Aug. 26, 1899	From this time the Reformatory has been a branch of the penitentiaries, having been made such by an act of the Legislature approved March 23, 1899.
W. M. C. Hill.....	Financial Agent.	Jan. 18, 1900	Feb. 11, 1900	
J. S. Rice.....	Supt. Peniten's....	Jan. 17, 1901	Feb. 6, 1901	
J. G. Smither.....	Assistant Supt., Huntsville.	Jan. 17, 1901	Feb. 12, 1901	
W. M. Lacey.....	Asst. Supt., Rusk.	Jan. 17, 1901	Feb. 6, 1901	
L. J. Tankersley.....	Assistant Supt. in charge of Ref.	Jan. 17, 1901	Jan. 30, 1901	
W. M. C. Hill.....	Financial Agent.	Jan. 17, 1901	Feb. 9, 1901	
T. J. Caven.....	Inspector.....	Jan. 17, 1901	Jan. 31, 1901	
T. H. Spooner.....	Inspector.....	Jan. 17, 1901	.....	
Wm. Clemens.....	Member Penitentiary Board.	Jan. 22, 1901	Jan. 25, 1901	
John B. Peyton.....	Member Penitentiary Board.	Jan. 22, 1901	Jan. 25, 1901	
S. M. Fry.....	Member Penitentiary Board.	Jan. 22, 1901	Jan. 25, 1901	

The first act for the establishment of a penitentiary was passed January 4, 1842, and was commented upon as follows January 5, 1842, by the *Telegraph and Texas Register*, a leading newspaper of the time, published at Houston:

"The bill to establish a penitentiary has passed both Houses of Congress and probably ere this has been signed by the President and become a law. We hail the passage of this bill as a new era in the history of our country. Vice and crime can no longer stalk abroad in our land with impunity. And from this period we may date a new impulse to moral improvement. The laws that have heretofore been in operation for the punishment of crime were of so sanguinary a character that they defeated the very object for which they were intended and criminals were permitted to escape unpunished because these laws were considered too severe. This state of things will no longer exist, the criminal code will be so adapted to the situation of the country and the state of public opinion that the laws will be enforced with promptness and certainty."

The felicitations of the *Telegraph and Texas Register* were premature, as no steps were taken under the foregoing enactment. The appropriation, \$2,000, was found to be too small for the purpose for which it was intended, and the succeeding Legislature did not consider it expedient, in view of the condition of the treasury to authorize a larger expenditure.

Act approved February 5, 1842: "Sec. 1. Be it enacted \* \* \* that so much of an act entitled 'An Act to provide for the erection and establishment of a penitentiary,' as repeals the laws then in force for the punishment of crimes and misdemeanors, be, and the same is hereby, suspended; and the said laws for the punishment of crimes and mis-

demeanors, which were in force at the date of the passage of said law, providing for the erection of a penitentiary be, and the same are hereby, revived and declared to be in full force."

The next act on the subject was one passed by the First Legislature and approved February 11, 1846. Nothing was done under it, the Mexican war coming on. The Second Legislature took up the matter where it had been dropped and passed an act (approved March 13, 1848) under which the Governor appointed three commissioners, who selected a site and who, with the board appointed to succeed them, erected buildings and in 1850 put the institution into operation.

The following heretofore unpublished matter relating to the establishment of the penitentiary at Huntsville will prove of interest to those who take a pleasure in exploring the tributaries of the main stream of history to their source:

*"To his Excellency, George T. Wood, Governor of the State of Texas:*

"The undersigned commissioners appointed by you, in pursuance of the provisions of the act of the Legislature of the State of Texas entitled 'an act to establish a State penitentiary, approved 13 March, 1848—beg leave to report, that they met together at La Grange on the 26th day of June last and proceeded to select a proper site whereon to erect a State penitentiary.

"That, after a thorough examination of the best localities, they agreed on the selection of a site and selected the same on a beautiful eminence in the town of Huntsville, the county seat of the county of Walker. The site for the buildings embraces two small tracts of four acres and eight tenths of an acre. They also purchased near to the site selected a tract of ninety four acres of timbered land. Making together ninety-eight and eight tenths acres, for which they agreed to give the aggregate consideration of \$493. They also deemed it the interest of the State and the Penitentiary to secure rock privileges, which they have done, as will be seen by the deeds accompanying this report. Also the use of hundred acres of white oak timber standing convenient to the location.

"The undersigned present herewith a deed from Robert Smither for three and two tenths acres, a deed from Isaac McGary for one and six tenths acres, embracing the sites for the buildings; also a deed from Pleasant Gray for ninety-four acres. The undersigned would recommend that your Excellency direct the Comptroller of the State to issue warrants upon the Treasury to the above named gentlemen for the sums agreed to be paid them respectively, and mentioned as the consideration of their lands in the deeds of purchase.

"They also present herewith three deeds for rock privileges, and one for white oak timber.

"The titles to the lands purchased have been investigated, and are found to be indisputable.

"The undersigned believe the site selected to embrace nearly all the advantages contemplated in the act and more of them than they could find united in other places.

"All of which is respectfully submitted.

"JOHN BROWN (Seal),

"WILLIAM MENIFEE,

"WILLIAM PALMER,

"Commissioners.

"Huntsville.

"July 20, 1848."

The acknowledgments to the deeds were taken by Isaac McGary, clerk of the county court of Walker county, as shown by his certificate attached thereto.

The deed for the white oak timber is from H. Yoakum, later author of a history of Texas. It contains the following: "\* \* \* This conveyance shall be limited to the period of ten years from this date [July 18, 1848], the consideration hereof being a desire for the prosperity of said Institution."

The deed of A. F. Keeble begins as follows: "In consideration that the penitentiary of the State of Texas has been by the Commissioners appointed by His Excellency Governor Wood, located at the town of Huntsville, in Walker county, in said State and that it will be necessary in order to the erection of buildings thereof to have a sufficiency of rock now in consideration of one dollar to me in hand paid and in order to have said useful buildings erected, I have this day given and granted to the State of Texas the privilege of taking up," etc., etc. The other deeds for rock privileges recite the same consideration and are couched in similar terms.

All the above original papers are endorsed as follows: "Filed in State Department, July 28, 1848. Charles Mariner, Clerk."

"HUNTSVILLE, TEXAS, Aug. 15, 1848.

"SIR: Herewith I send you, at the request of Gov. Wood, the plan of the Penitentiary of the State of Texas, submitted to and approved by him.

"Will you please inform Col. Cook of the approval.

"Very resp'y.,

"Your obt. servt.,

"W. D. MILLER, Esq.,

"H. YOAKUM.

"Secretary of State."

The plan referred to by Mr. Yoakum had been submitted to the Governor, for approval, accompanied by the following letter:

"*To His Excellency, Geo. T. Wood, Governor of The State of Texas:*

"The undersigned Superintendent and Directors of the penitentiary of the State of Texas, in pursuance of the fourth section of the act establishing the same, approved 13 March, 1848, submit herewith for your approval a plan of the penitentiary. They trust it will be found to answer the purpose intended.

Very respectfully,

"Yr. obt. servts.,

"A. H. COOK, Supt.,

"H. YOAKUM, }

"J. M. MAXEY, } Directors.

"M. C. ROGERS, }

"Huntsville,

"Aug. 8, 1848."

Attached to the plan is the following endorsement:

"The State of Texas.

"Towit:

"The foregoing plan of the penitentiary of the State of Texas has been examined and is approved and ordered to be filed in the office of the Secretary of State.

"August 15, 1848.

"[SIGNED]

GEO. T. WOOD,  
"Governor."

A report made to Gov. P. H. Bell, July 11, 1850, by John S. Besser and R. Smither, at that time Directors, contains the following:

"The present Directors have come into office since the first of March last. \* \* \* There is at this time ten convicts confined in the penitentiary. \* \* \* The exterior wall of the building, heretofore begun, has been completed. A kitchen \* \* \* has been erected, principally by the convicts, and covered with a good tin roof. \* \* \* There is at this time three guards employed at an aggregate expense of \$258 per quarter. \* \* \* From the best estimate that can be made, we feel satisfied that the convicts can (with an appropriation of \$10,000) make the brick, lay and complete the entire exterior wall of the penitentiary, with the aid of a master-workman to instruct and direct. \* \* \*"

A report of John S. Besser, R. Smither and Wm. M. Barrett, Directors, to Gov. Bell, dated November 10, 1851, contains the following: "The undersigned Directors \* \* \* respectfully report: That when they entered upon their duties as such, the penitentiary was (and still is) in its infancy, the outer wall of the block of cells erected not over five feet high, the ground open to all, and no security of the convicts from escape. Since that period, the outer wall has been completed and the cells enclosed and covered in; a kitchen and pantry has been erected \* \* \* mainly by convict labor; all the cells on the south side of the block, together with a circular stairway to the upper tier of cells, with a walk and bannisters on three sides of the building, together with a wagon shop, cabinet shop and blacksmith shop, have been finished and built by the convicts, without cost to the State, except for materials. \* \* \* The wagon shop has been in operation but ten months, brick-making but one year, the carpenter, cabinet and blacksmith shops not over nineteen months, and the sales have been near \$3,000, leaving on hand 350,000 brick (burnt and unburnt), with a heavy amount of wood on hand, together with a large amount of wagon-work ready for sale, and material on hand, with balances in favor of the State from all the branches. \* \* \* In the present exposed condition of the penitentiary grounds, an excess of guard is demanded. \* \* \* The employees of the penitentiary at this time consist of a sergeant of the guard at \$35 per month and six guards at \$30 per month and a master-workman in the wagon-making department at \$50. \* \* \* No deaths up to Sept. 30, 1851, except of S. P. Terry, a convict from Jefferson county, who was shot in attempt to wrest a gun from the hands of a guard. There have been five escapes, three of whom were retaken and brought back. \* \* \* Physician's bills, as per contract, have been in the last nineteen months, \$145. \* \* \* Situated as we are in the South, with Southern principles and views, in as fine a cotton-growing region of country as is in the world, would it not be the true policy of our Legislature to pursue that course that would enable our State penitentiary to be converted

into a manufactory of cotton fabrics? \* \* \* It will require to finish the penitentiary \$25,362.74. \* \* \* We respectfully urge \* \* \* the great necessity which exists of the separation of the duties of purchasing agent and clerk from that of Superintendent. \* \* \* For a reasonable compensation an individual of capacity and integrity could be had. \* \* \* We believe that an amendment to the penitentiary code as to terms of imprisonment is much needed. Many are sent for one year. The expense of transportation will average \$80 for each convict and, could they be profitably engaged, would not meet expenses. We would suggest *three* years as the minimum. It has been suggested to us by the Superintendent, that convict No. 10 had better be discharged. He has been some eighteen months in confinement and, from the bad state of his health, has been of no service, nor is there the least prospect of an improvement. Enclosed we forward you a few copies of our revised rules for the government of the penitentiary and hope they will meet with your approbation."

The "Texas Almanac" for 1857 contains the following:

"Eleven convicts were committed in 1850. In 1851, 27 were committed; in 1852, 43; in 1853, 31; in 1854, 36; in 1855, 39; making, in all, 187 convicts committed up to the date of the last report of the Superintendent, Col. James Gillespie. Of these, 63 had been discharged, 10 had died, 11 had escaped, 20 had been pardoned, and 1 had been released by a mandate from the Supreme Court; while 32 still remained in the penitentiary; 105 having left by discharge and otherwise.

"Terms of sentences: 1 for 21 years; 3 for 15 years; 1 for 12 years; 7 for 10 years; 1 for 9 years; 1 for 8 years; 14 for 7 years; 27 for 5 years; 1 for 4 years and six months; 12 for four years; 1 for 3 years and 8 months; 1 for 3 years and six months; 25 for three years; 1 for 2 years and 10 months; 1 for 2 years and 8 months; 2 for 2 years and 6 months; 1 for 2 years and 3 months; 25 for 2 years; 3 for 1 year and six months; 1 for 1 year and 4 months; and 63 for 1 year. Total, 192.

"The convicts are reported to be generally orderly and industrious, and emulous to do good work. Many of them have become good mechanics, nearly all having acquired their skill while in the penitentiary. During the past two years the convicts have been chiefly employed on the cotton factory building, which is 270 feet long by 50 feet wide, with 66 openings to each of the two stories. The walls are two feet thick, the material being brick, with a tin roof. The engine power for the cotton machinery runs 10,000 spindles, and also a mill for grinding meal, working machinery, etc. The power and machinery are sufficient to turn out 15 yards of coarse cotton and 500 yards of coarse woollen cloth per day.

"\* \* \* Of the 69 convicts in the penitentiary, October, 1854, 4 were engaged in wagon-making, 4 in blacksmithing, and 2 in the cabinet shop, all of whose work was for sale. Those occupied on penitentiary account were 3 carpenters, 1 tailor, 1 shoemaker, 1 wagoner, 6 bricklayers, 16 tenders, 32 in the brick yard, 2 cooks and 3 washers and sweepers, making in all 69.

"There were five deaths in the penitentiary during the two years ending September 30, 1855, but not one from disease contracted in prison.

"Gross sales for the last two years.....\$10,333 47  
 "Balance due for sales..... 1,148 79

"Profits of wagon, blacksmith and cabinet shops, for two years .....	\$ 4,214 07
"Outstanding liabilities of penitentiary.....	2,913 91
"Balances in favor of the State, from the proceeds of convict labor for two years.....	8,750 63
"Cotton and woolen factory: The building for the engine and boilers is complete, and that for the factory nearly so.	
"Original cost of all the cotton and woolen factory machinery and fixtures, all complete, in Taunton.....	\$32,008 52
"Freight and charges on same, delivered at Huntsville.....	8,540 20
<hr/>	
"Making total cost.....	\$40,543 72

"Habits, education, etc., of convicts: Of the entire number of 187 convicts who have been committed, 123 were temperate and 64 intemperate. There were only 14 whose education was good; 77 could read and write; 35 could only read, and 61 had no education at all. \* \* \* Nineteen were convicted of murder in the second degree; 11 of manslaughter; 23 of assault with intent to kill; 52 of larcency; 13 of grand larcency; 31 of horse stealing; 6 of burglary; 2 of robbery; 2 of stealing; 3 of stealing cattle; 7 of negro stealing; 4 of forgery; 1 of arson; 2 of assault to commit rape; 1 of receiving stolen goods; 1 of perjury; 1 of infanticide; 11 not stated. Total, 192 convictions.

"The discrepancy between the whole number committed and the number of convictions, arises from the fact that there were five double convictions, that is, five were convicted of two crimes each. \* \* \* One hundred and three were natives of the United States, 45 were natives of Mexico, 14 of Ireland, 6 of Germany, 4 of England, 4 of Scotland, 2 of Hungary, 3 of Prussia, 1 of Canada, 1 of Denmark, 1 of Italy, and 1 of Africa; making in all 84. \* \* \*

"Of the 82 now in the penitentiary, 26 are engaged in making brick, 7 as bricklayers, 15 as tenders, 7 as carpenters, 1 as turner, 2 lathe turners, 1 painter, 5 blacksmiths and coal burners, 5 wagon-makers, 4 cabinet-makers, 2 shoemakers, 2 tailors, 3 cooks and washers, and 2 sweepers."

During the war between the States the penitentiary was converted into a manufactory and turned out a large quantity of cloth, shoes, hats, cotton-cards and other articles that were greatly needed. It was suggested that the penitentiary be made a place of confinement for Federal officers and soldiers captured at the retaking of Galveston, January 1, 1863.

A joint legislative committee, consisting of Pryor Lea, chairman, R. H. Guinn, G. A. Foote, James A. Hardin and J. B. Reid, appointed in accordance with a recommendation of Gov. F. R. Lubbock, made a thorough investigation of the affairs of the penitentiary, covering the period extending from December 1, 1861, to March 31, 1863, and submitted a report in which the following, among much other matter, appears: "The Superintendent informed the committee, early in its session, that the penitentiary had not been used for the confinement of any persons, except according to express provisions of the State laws, until a recent date; but, that since the recapture of Galveston, during parts of the time, the penitentiary had been used for the safe keeping of a few political prisoners—three white men—who had been residents of Texas; and that

some progress had been made in negotiations between State and Confederate officials for the safe keeping in the penitentiary of officers of the enemy, captured at Galveston. \* \* \* The committee is informed that the project is now about to be consummated. \* \* \* There would seem to be strict legal propriety in using the penitentiary for the special purposes and in the exact mode prescribed or allowed by the State laws; but, any other use, beyond the authority of any law, would appear to be a legal impropriety. \* \* \* Such use must necessarily add troubles and perils to those of the ordinary business of the institution. \* \* \* The penitentiary, in its ordinary condition during the existence of war, presents great inducements for its destruction by any foes to this State, whether domestic or foreign, and the proposed use would present an additional inducement. \* \* \* Our propriety of conduct would be compromised by adopting it [such a mode of securing prisoners of war] except for necessary retaliation; but, such a policy is not to be adopted by officers, except under governmental order, or indispensable necessity. Neither of these alternatives appears in the circumstances of the proposed confinement of the Galveston prisoners of war in the penitentiary. \* \* \* From the foregoing views of the subject the committee expresses its unhesitating sentiments that such use of the establishment would be improper; and that, in case of commencement, it should be discontinued without unnecessary delay."

A report made by Superintendent Carothers to Major F. W. Emery, A. A. G., U. S. A., Galveston, June 24, 1865, showed 124 white prisoners were in the penitentiary at that time, and a few negroes.

Under the penal statutes in force before the war negroes were not subject to imprisonment in the penitentiary, other punishments being prescribed for them for offenses less than capital.

Under an act approved March 22, 1871, the penitentiary was leased to Ward, Dewey & Patton for a term of fifteen years. By an act approved August 19, 1876, and steps taken thereunder, the State resumed control of the penitentiary. The penitentiaries were subsequently leased to Cunningham & Ellis, who continued in charge until 1883, when the State resumed control and the Legislature passed an act prohibiting further leasing. Leasing was resorted to, in the first instance, for the reason that the penitentiary (there was then only one) was not self-supporting. The management of Cunningham & Ellis demonstrated that it could not only be made to meet expenses, but yield a revenue that, if turned into the State treasury, would partly reimburse the taxpayers for money expended in bringing criminals to justice.

The act of 1848 provided for two penitentiaries (one to be located in East and the other in West Texas) and a House of Correction and Reformatory, to be established adjoining the East Texas penitentiary. The West Texas penitentiary has never been established, and the Reformatory not until recently, and that not under the old act, but a new one (act of March 20, 1887) permitting it to be located where it is now situated. The present House of Correction and Reformatory was at first an independent institution, but some dissatisfaction arising in connection with its management as such, a law was passed (act of March 23, 1899), making it a branch of the State penitentiaries, placing its management under the control of the Penitentiary Board, and providing that it shall be in charge of an assistant superintendent.



## PENSIONS PAID BY THE STATE.

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Prior to 1883 pensions (none of them over \$250 per annum) were granted to various persons, or the widows of same, by special acts of the Legislature. The Eighteenth Legislature (1883) appropriated \$1,400 a year for the payment of such pensions; the Nineteenth Legislature, \$1,400; the Twentieth Legislature, \$1,400; the Twenty-second Legislature, \$1,350; the Twenty-third Legislature, \$950; the Twenty-fourth Legislature, \$800; the Twenty-fifth, \$450; and the Twenty-sixth Legislature, nothing, the "dark robed reaper" having gathered in the last of the special pensioners. One of the pensioners was Ex-Governor P. H. Bell, who died in North Carolina, March 8, 1898.

"An act to provide annual pensions for the surviving soldiers or volunteers of the Texas revolution and the surviving signers of the Declaration of Independence of Texas, and the surviving widows of such soldiers, or volunteers, and signers," was passed by the Eighteenth Legislature and approved by Governor Ireland March 28, 1883. It was amended by an act passed by the Nineteenth Legislature. Both statutes provide for a pension of \$150 a year. The Nineteenth Legislature appropriated \$91,000 a year for the payment of such pensions; the Twentieth Legislature, \$60,000; the Twenty-second Legislature, \$70,000; the Twenty-third Legislature, \$70,000; the Twenty-fourth Legislature, \$58,500; the Twenty-fifth Legislature, \$51,000; the Twenty-sixth Legislature, \$50,000; and the Twenty-seventh Legislature, \$40,000.

A joint resolution submitting an amendment to the Constitution providing for granting to Confederate soldiers and sailors, or the widows of such soldiers or sailors, a pension of not exceeding \$8.00 per month, and that not more than \$250,000 should be appropriated in any one year by the Legislature for that purpose, was passed by the Twenty-fifth Legislature and presented to the Governor for his signature May 21, 1897. The amendment was adopted by the people, and the Twenty-sixth Legislature passed an act, approved May 12, 1899, appropriating \$100,000 for the year ending September 30, 1900, and \$150,000 for the year ending September 30, 1901, to carry its provisions into effect.

The Twenty-seventh Legislature appropriated a total of \$400,000 for the two years ending August 31, 1903, for the same purpose.

There are now on the rolls 6,450 pensioners under this act. The money being pro rated among them, each is receiving \$7.65 per quarter.

To secure the benefits of the act of May 12, 1899, the ex-soldier must have resided in Texas continuously since January 1, 1880; be a bona fide citizen of the State, and not an inmate of the Confederate Home; and must make the required proof of his right to take advantage of its provisions.

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## W. B. PLEMONS, AMARILLO, TEXAS.

Judge W. B. Plemons died at Amarillo, of apoplexy, December 4, 1901.

"William Bluford Plemons," says *The Weekly Record*, of Amarillo, December 13, 1901, "was born in Macon county, North Carolina, in 1844, where he grew to manhood. Entering the Confederate Army,

however, before he was seventeen years of age, he served in the Sixteenth North Carolina regiment during the whole period of the war, participating in all the campaigns of Lee, in Stonewall Jackson's famous corps; was wounded three times, and surrendered at Appomattox. He came to Wood county, Texas, immediately after the war, where he was admitted to the bar, and afterwards moved to Henrietta, Clay county, where he was elected County Judge in 1876, and served two terms. In 1888 he came to Amarillo, where he thereafter resided. He was the first County Judge of Potter county, and served as District Judge from 1889 to 1890; was elected to the Legislature in 1894 (served one term), where he at once took front rank as one of the ablest members of the lower house. He served on more committees than any member of the House, among them Judiciary Committee No. 1. He was the staunch friend of the actual settler, and the legislation of that session affecting our public domain was largely shaped by his mind and through his influence. He declined re-election and afterwards devoted his time and talents to his extensive law practice, in connection with his law partner, the Hon. John W. Veale.

"\* \* \* Judge Plemons leaves a wife and six children (four boys and two daughters), a host of friends through the Panhandle, and even the entire State, to mourn his loss. The news of his death will sadden many a heart, and many a strong man will drop a tear when he realizes that his friend is no more. The town has lost one of its foremost citizens, the Panhandle one of its ablest champions, the bar one of its strongest members, the State one of its most capable men who engaged in the public service, and the South one of its loyal and affectionate defenders. Peace to his ashes."

Amarillo Lodge No. 731, A. F. and A. M., and the Bar Association of the Forty-seventh Judicial District adopted resolutions in memoriam. Those of the Bar Association were spread upon the minutes of the court, the court being then in session.

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## POSTOFFICE DEPARTMENT AND POSTMASTER GENERALS OF THE REPUBLIC.

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The Permanent Council, that acted as a central governing body for Texas until November 1, 1835, made a start toward organizing a postal system.

The journal of the Council contains entries to the effect that (on motion of A. Thomson) Joseph Bryan, J. C. Wood and A. Houston were appointed, October 20th, a committee to consider the matter of establishing mail routes; that the committee submitted a report on the 22nd that was adopted, and that on the 23rd John Rice Jones was appointed Postmaster General. The entry for October 23rd is as follows: "The Council went into a committee of the whole on the subject of mails, etc., and, after due deliberation on the matter, appointed John R. Jones as Postmaster General to take charge of the affairs and to put them in operation as soon as may be."

The journal was evidently carelessly kept. The date Jones was appointed Postmaster General is no doubt correct, but the date the com-

mittee was appointed, the date it reported, and the name "J. C. Wood" incorrect, as is evidenced by the original committee report on file in the Secretary of State's office. The following is a copy of the report:

"The committee to whom was referred the subject in regard to the establishment of mail routes, beg leave to report that, whereas, our country is in a deranged situation, our armies are in the field and the emergency of our situation is such that all important news should be conveyed to the different parts of our country with all possible dispatch, and, there being but few routes now established, the committee are of the opinion there ought to be such routes established as would accomplish that end and would, therefore, offer the following resolution:

*"Be it Resolved by the Permanent Council of Texas,* That there be a mail route established from San Felipe de Austin to San Augustine, passing through the towns of Washington and Nacogdoches, and also one from Washington to Zavala; and the committee would further recommend that the route now established from this place, by the way of Liberty, to the United States, to pass through all the important towns lying near the route be continued; and

*"Be it further resolved,* That a route be also established from this place to Velasco, leading through the towns of Columbia and Brazoria.

"JOSEPH BRYAN,

"J. S. HOOD,

"A. HOUSTON,

"Committee.

"Adopted October 19th."

October 30th another committee (names not given) submitted a report, which was adopted, providing more elaborately for a postal system, fixing rates of postage, and continuing John Rice Jones as Postmaster General. The following is copied from the original:

"The committee, to whom the subject of mail routes was referred, report that during the present period in the affairs of Texas facilities of communication between the different parts of the country are all important and the best interests of the people require that weekly mails be established on the following routes, and that they be immediately put into operation, to wit: (1) From San Felipe de Austin, by Whiteside's in Cole's settlement, Washington and Nacogdoches to San Augustine; (2) from San Felipe, by Orozimbo, Columbia, Brazoria and Quintana, to Velasco; (3) from San Augustine, by Zavala, to Bevil's Mill; (4) from San Felipe, by Harrisburg and Liberty, to ferry on the Sabine river; and, as soon as it can be done with safety to the mail, from San Felipe de Austin to Bexar.

"The committee beg leave further to report that it is expedient and necessary at this time that some suitable person be by this \* \* \* Council appointed to take charge of and have superintendence of the postoffice establishment as Postmaster General and that, in their opinion, John Rice Jones, of San Felipe, is competent and will be faithful in the discharge of the duties of said office.

"Whereupon it was resolved by the Council \* \* \* that \* \* \* the said John Rice Jones \* \* \* is hereby appointed, which appointment shall be subject to the confirmation or rejection of the Consultation. \* \* \* And for the better fulfillment of the duties of his office and the furtherance of the objects of this committee the said John Rice

Jones is hereby authorized to open subscriptions by himself, his deputies, and such other persons as he may appoint, for the purpose of obtaining contributions, or loans, of money to aid in carrying this project into immediate operation, which sums of money so obtained by him are to be refunded as soon as the receipts of the Postoffice Department will enable the Postmaster General to do so."

Rates of postage: Six and one-half cents for a single sheet letter conveyed any distance under 20 miles, 12½ cents for distances over 20 and not exceeding 50 miles, 18½ cents for distances over 50 and not exceeding 100 miles, 25 cents for distances over 100 and not exceeding 200 miles, 37½ cents for all distances over 200 miles; 6½ cents extra for all ship letters; letters by public officials (civil or military) on public business, free; double letters (letters of two sheets) double the foregoing, triple letters three times single rate, letters weighing an ounce four times single rate, and letters or packets of greater weight in proportion; newspapers published within 100 miles of the general postoffice, 1 cent each; newspapers carried in the mails over 100 miles, or printed outside of Texas, 1½ cents each. "of which," says the resolution, "postmasters are hereby authorized to require the payment of one-quarter in advance and, without such payment, not to deliver the newspaper"; magazines and pamphlets: For each sheet carried not over 25 miles, 2 cents; for each sheet carried over 25 and under 50 miles, 4 cents; and for each sheet carried over 50 miles, 6½ cents.

R. R. Royall, President of the Council, in his address to the Consultation November 1st, in reviewing the work done by the Council said: "The Council has ordered to be carried into effect by subscription, under certain regulations, a mail route from San Felipe de Austin to Cantonment Jessup, in the United States; to the headquarters of the army, or to Bexar, and to Velasco. This subject should, at a suitable time, be taken up and branch routes ordered."

Provisional Governor Henry Smith's first message (November 15, 1835) to the General Council established by the Consultation, contained the following:

"\* \* \* 10. I would now call your attention to the Postoffice Department and would recommend the appointment of a Postmaster General. The appointment made by the previous Council I highly approve, and trust under your care this department will flourish and extend its benefits to every section of the country. I further recommend an express department, to continue during the war."

The Journals of the General Council contain the following:

"COUNCIL HALL, SAN FELIPE DE AUSTIN.

"December 3, 1835.

"\* \* \* Mr. Barrett, from the Committee on State and Judiciary, asked and obtained leave to introduce the following report:

*"To the Honorable, the General Council of the Provisional Government of Texas:*

"Your Committee on State Affairs, etc., to whom was referred that part of the Governor's message relating to the Postoffice Department, report as follows, for the consideration of this body:

"That during the month of October last a Special Council of Texas, then sitting, commenced a partial organization of the Postoffice Department, and appointed John R. Jones, Esq., Postmaster General Pro Tem.

The qualifications of this gentleman for this high trust are spoken of in the late message of the Governor, in strong terms of commendation, to which your committee most heartily respond. Your committee, after a free interchange of opinions and several conferences with Mr. Jones, recommend the following plan for your consideration as giving an elementary outline, which may hereafter lead to a perfect system, in this complicated and interesting department of our government. With these views, your committee beg leave to present an ordinance and decree creating a General Postoffice Department.

"D. C. BARRETT, Chairman;

"DANIEL PARKER,

"J. A. PADILLA,

"Committee.

"On motion of Mr. Harris, the foregoing report was adopted, and the ordinance and decree was read a first time, and ordered to a second reading tomorrow."

The ordinance was passed by the Council December 5, 1835, and approved December 12, following. It provided that the Postmaster General was to be appointed by the Council, and that body selected John R. Jones, who served at first actively and later nominally, through the periods covered by the Provisional Government and Government *ad interim*.

The rates of postage established were the following: Every letter composed of a single sheet of paper and conveyed any distance not exceeding 20 miles, 6½ cents; over 20 and not exceeding 50 miles, 12½ cents; over 50 and not exceeding 100 miles, 18½ cents; over 100 and not exceeding 200 miles, 25 cents; all distances exceeding 200 miles, 37½ cents; all ship letters, 6½ cents in addition to the foregoing. Every letter composed of two sheets of paper, double the rate of a single paged letter. Every letter composed of three sheets of paper, three times the rate of a single paged letter. Every letter or package weighing 1 ounce, four times the rate of a single-paged letter; and a proportionate charge for letters, or packages, of greater weight. Charges on letters, packages or newspapers sent to foreign addresses *to be paid in advance*.

Referring to the Provisional Government, Yoakum says: "With their slender resources they managed to send a weekly mail through Texas to Fort Jessup, thus keeping up a regular communication with the United States."

If he meant that a weekly mail was sent throughout the revolutionary period, or even during the entire period covered by the existence of the Provisional Government, he was in error.

In a communication to the First Texas Congress, in October, 1836 (before the inauguration of President-elect Sam Houston), David G. Burnet submits an account of his stewardship as President *ad interim*, in the course of which he states that the operations of the Postoffice Department were suspended upon the eastward movement of Santa Anna's army from Bexar in the spring of 1836 and had not thereafter been resumed, and urged, as a first duty, the enactment of a law, by Congress, establishing such a department.

Congress passed an act (approved by President Houston, December 20, 1836) creating a General Postoffice, "to be under the charge and direction of a Postmaster General, to be nominated by the President and confirmed by the Senate," to hold office for a term of three years, and,

in case of death, to be succeeded by the Chief Clerk of the department, as Postmaster General *ad interim*, until an appointment could be made to fill the vacancy.

G. A. Parker was confirmed as Postmaster General by the Senate December 16, 1836. He was succeeded December 22, 1836, by Robert Barr, who served through President Houston's first term and during President Lamar's administration until October, 1839.

E. S. C. Robertson was appointed Postmaster General *ad interim* October 11, 1839.

Edwin Waller was appointed Postmaster General December 10, 1839, resigned the same day, and was succeeded by John R. Jones, who was appointed December 14, 1839, and served until the office was abolished by an act approved January 18, 1841.

Section 2 of this act is as follows: "Be it further enacted, That the office of Postmaster General be and the same is hereby abolished and the Secretary of State is hereby authorized and required to attach to the State Department a bureau to be styled 'The General Postoffice,' and a clerk, appointed by the Secretary of State, shall hereafter perform all the duties of that office, under the superintendence of the Secretary of State; and it shall be the duty of the Postmaster General to deliver to the Secretary of State all books, documents, and papers belonging to said office.

The following rates of postage in force under the various acts of the Texas Congress on that subject will perhaps interest the reader:

Act of December 20, 1836: Single sheet letters, distance not to exceed 50 miles,  $6\frac{1}{4}$  cents; not to exceed 100 miles,  $12\frac{1}{2}$  cents; not to exceed 200 miles, 25 cents. Two sheet letters, double, and three sheet letters, three times the foregoing rates. Letters or packages weighing one ounce quadruple single-sheet letter rate; heavier weights in proportion. Ship letters,  $6\frac{1}{4}$  cents extra. Magazines and pamphlets, 1 cent a sheet for any distance not in excess of 50 miles,  $1\frac{1}{2}$  cents a sheet for any distance not in excess of 100 miles; and 2 cents a sheet for every greater distance. Drop letters,  $6\frac{1}{4}$  cents, to be collected from persons to whom delivered. Postage on letters and papers directed to addresses out of Texas payable in advance.

Act of December 18, 1837: Single-sheet letters, not over 40 miles,  $12\frac{1}{2}$  cents; not over 100 miles, 25 cents; not over 150 miles,  $37\frac{1}{2}$  cents; over 150 miles, 50 cents. Letters or packages weighing one ounce, quadruple the foregoing. Ship letters,  $6\frac{1}{4}$  cents extra. Newspapers, 1 cent each for not over 100 miles, and 2 cents for all distances over 100 miles. Pamphlets,  $1\frac{1}{2}$  cents per sheet for not over 100 miles, and  $2\frac{1}{2}$  cents per sheet for over 100 miles. Payment of postage in advance on all letters going out of Texas.

Act approved January 28, 1841:

"SECTION 1. Be it enacted \* \* \* That the Secretary of State be and he is hereby authorized to contract for the conveyance of the mails during the year 1841, on any of the routes heretofore established by law; provided, the annual expense of carrying the mails weekly on such routes shall in no instance exceed ten dollars, in par funds, or its equivalent, a mile; provided, that in all cases the lowest bidder shall have the preference, if he shall give sufficient security.

"SEC. 2. Be it further enacted, That the rates of postage as heretofore fixed by law be and they are hereby doubled, and shall be twice the

amount of the rates heretofore established; and on any letter intended to be conveyed by any ship or vessel, beyond sea, or received from any place beyond sea, by any ship or vessel, there shall be paid at the time of its reception a postage of 50 cents.

"SEC. 3. Be it further enacted, That it shall be the duty of the Secretary of State to advertise in three of the gazettes or public newspapers in this republic, forty days previous to letting out or contracting for the transportation of the mails on any of said routes, setting forth all the necessary requisitions therein, agreeably to law.

"SEC. 4. Be it further enacted, That the sum of \$50,000 in the promissory notes of the government, and all the moneys arising from the receipts of the Postoffice Department for the year 1841, be and the same are hereby appropriated for the purpose of carrying this act into effect."

Act of January 27, 1844: Single-sheet letters, less than 100 miles, 12½ cents; over 100 miles, 25 cents; two-sheet letters, double, and three-sheet letters, treble, the foregoing charges; letters or packages weighing one ounce, four times the rate for single-sheet letters; heavier weights, proportionate charges; ship letters, 6¼ cents extra; newspapers, 1 cent each for 100 miles and 2 cents each for over 100 miles; newspapers sent to foreign addresses an extra charge of 1 cent each; books, magazines and pamphlets, charge per sheet same as that for newspapers; postal charges payable in gold, silver or exchequer bills.

It may well be imagined that letters sent by mail were terse and to the point. Persons afflicted with *cacoethes scribendi* eagerly took advantage of the occasional opportunities that offered and unbosomed themselves in long letters, sent by the hands of travelers, to public men or personal friends.

Such of the epistolary correspondence of the time as is now preserved demonstrates at once how much and how little can be said on a single page of note paper.

The bill extending the laws of the United States over Texas was signed by President James K. Polk December 29, 1845, and the postal service of the United States went into operation in Texas late in April, or early in May, 1846.

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## POSTMASTERS' ASSOCIATION.

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The third annual convention of the Texas Postmasters' Association convened at Galveston, at 10 o'clock a. m., July 17, 1901, and was called to order by President W. B. Brush.

After prayer by Rev. Junius B. French, of Fort Worth, James B. Stubbs, City Attorney of Galveston, welcomed the Postmasters to the Island City on behalf of its people, and was responded to by S. B. Strong, Postmaster of Houston, in a neat address.

A number of interesting and valuable papers were read and speeches made, and a considerable amount of business of importance transacted.

The following officers were elected for the following year: H. A. Griffin, of Galveston, President; S. B. Strong, of Houston, Vice-President; F. L. Bradley, of Gilmer, Second Vice-President; John M. Comparent, of Blanco, Third Vice-President; Marshall Smith, of Brown-

wood, Secretary and Treasurer; and Miss Carrie E. Hoke, of Taylor, Assistant Secretary.

Delegate to National Association of Postmasters: Geo. Clifford, of San Antonio.

Executive Committee: J. D. Werner, Riverside; H. O. Wilson, Marshall; C. E. Lewis, Tyler; W. T. Black, Mt. Pleasant; W. M. Nagle, Denison; John D. Abney, Grandview; W. J. Gilmore, Moody; H. A. Cody, Ballinger; Wm. E. Dwyer, Brenham; Ed. F. Seydler, Weimar; Julius Henry, Corpus Christi; Geo. G. Clifford, San Antonio; Garner I. Williams, Cisco.

Galveston was selected as the place for the annual meeting in May, 1902.

The Postmasters were given a street car ride over the city and banquet. The local committee, headed by Hon. A. J. Rosenthal, did all in its power to render their stay agreeable.

The convention adjourned *sine die* at 3 p. m., July 18th.

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## PRESBYTERIAN CHURCH IN THE UNITED STATES— SYNOD OF TEXAS.

BY REV. EDWARD B. WRIGHT,  
Pastor of the First Presbyterian Church, Austin.

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Ministers of other denominations preceded those of the Presbyterian Church in preaching the gospel in Texas, but as early as 1838 able ministers of the Presbyterian Church came to the new republic.

That church reveres the names and cherishes the memories of such pioneer preachers as Hugh Wilson, John McCulloch, J. W. Miller and W. Y. Allen.

The name indelibly associated with the history of the Presbyterian Church in Texas is that of the sainted Dr. Daniel Baker, the great evangelist of the South. His tours of preaching through the State were of great benefit to the people, and revivals of religion with many conversions were the result. He also became greatly interested in the establishment of a Presbyterian college in Texas, and his efforts led to the organization of the "Austin College" at Huntsville (now located at Sherman).

A son of Dr. Daniel Baker, Dr. William M. Baker, organized and was the first pastor of the First Presbyterian Church of Austin.

Daniel Baker died in Austin in 1857, and was buried in the city cemetery.

Before the Civil War the Presbyterian churches of Texas were a unit, connected with what was familiarly called the "Old School Presbyterian Church." Early in the war came the division of the church, north and south. At the close of the war many Presbyterians of Texas, being, as they said, "opposed to any schism in the body of Christ, especially on political questions," resumed their relations with the Old School General Assembly.

The three churches of Austin, Georgetown and the St. Paul's German Church of Galveston were organized into a Presbytery, called the Pres-



bytery of Austin. This Presbytery was at first connected with the Synod of East Tennessee, then with the Synod of Kansas, but, having attained sufficient strength, was, in 1878, divided into three Presbyteries, viz., Austin, North Texas and Trinity, and constituted by the General Assembly as the Synod of Texas, Presbyterian Church, United States of America.

The growth of the Synod has not been rapid, but has been gradual and substantial.

The statistics as given for the Synod of Texas in the minutes of General Assembly for 1901 are as follows, viz.: Ministers, 43; churches, 55; communicants, 3120; Sabbath school members, 3517; raised during year for all purposes, \$46,549.

## PRESBYTERIAN CHURCH IN THE UNITED STATES— SOUTHERN.

The last Synod of Texas (forty-sixth session) was held at Sherman, October 2-8, 1901. Rev. Jno. V. McCall, Moderator.

### PRESBYTERIES PRESENT.

	Ministers.	Churches.	Members.	Collections for all purposes.
<b>Brazos.....</b>	29	44	2,496	\$ 2,554 00
<b>Brownwood.....</b>	6	15	702	539 13
<b>Central Texas.....</b>	23	46	2,733	3,960 00
<b>Dallas.....</b>	34	54	3,123	3,728 58
<b>Eastern Texas.....</b>	11	52	1,419	311 00
<b>Fort Worth.....</b>	35	45	2,581	3,991 00
<b>Paris.....</b>	17	47	2,521	3,056 95
<b>Western Texas.....</b>	38	51	2,584	8,204 72

This church has the following educational institutions in Texas: Austin College, at Sherman; Daniel Baker College, at Brownwood; Texas Presbyterian College for Girls, at Milford; and the Presbyterian Theological Seminary, at Austin.

### Early History.

Revs. Hugh Wilson, Wm. Y. Allen and Dr. Daniel Baker were reported as the pioneer Presbyterian preachers in Texas in 1838. The first Presbytery organized in the republic was that of Brazos, April 3, 1840. In 1851 the first Synod, consisting of three Presbyteries, was organized at Austin. The growth of this church has been slow, but steady. The Synod of Texas now numbers eight Presbyteries and eighteen thousand four hundred and fifty-nine members.

PRESIDENTS OF THE REPUBLIC.<sup>1</sup>

	Elected.	Inaugurated.
Sam Houston.....	September 5, 1836	October 22, 1836.
Mirabeau B. Lamar.....	September 3, 1838	December 10, 1838.
Sam Houston.....	September 6, 1841	December 13, 1841.
Anson Jones.....	September 2, 1844	December 9, 1844.

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## EXECUTIVE DEPARTMENT,

COLUMBIA, Oct., 1836.

*To the Hon. the Senate and House of Representatives.*

GENTLEMEN: The Convention of March, to whom was committed the high duty of forming a Constitution for the Gov't of the People of Texas, in the exercise of the high powers conferred upon them, deemed it advisable to establish a government *ad interim*. The object of that temporary government was doubtless to prevent an interregnum in the administration of public affairs by filling up the interval that must interpose between the adoption of a Constitution, by the organic assembly, and the period when a constitutional government could be fully organized and put into operation. And it is equally evident that the Constitution did not contemplate the continuance of the Gov't *ad interim*, after such organization should become practicable. Congress has convened at an earlier day than was anticipated, at the creation of the present executive government, and the consequence is a blending of two distinct, and it may be discrepant, systems. This may haply lead to inconvenience; and inconvenience may result in injury to the public weal. It is obviously desirable that the great departments of the Constitutional Government, the executive and the legislative, should commence their functions, simultaneously, or as nearly so as may be, inasmuch as it would conduce to the harmony of their operations. And harmony in the co-ordinate branches of gov't is a great desideratum. I assure you, Gentlemen, that I entertain no aspirations of ambition, and no other feeling, that could prompt me to present the slightest obstacle to the successful issue of the great enterprise in which we are embarked, and which involves the happiness of millions, who will succeed us, in this transitory being. \* \* \* I will then [the following day] be prepared to retire from the elevated appointment to which the unsolicited suffrages of the Convention called me, and thus present to you an opportunity to qualify and induct into office the Constitutional President. \* \* \*

DAVID G. BURNET.

## EXECUTIVE DEPARTMENT,

COLUMBIA, 22nd Oct., 1836.

*To the Honble. the Senate and House of Representatives.*

GENTLEMEN: The period having arrived when, in the estimation of Congress, the constitutional government may be completely organized in all its branches, and as I conceive such organization to be advisable, I request that Congress will not consider my incumbency as any obstacle to the immediate inauguration of the Executive officers-elect. Sensible of having discharged my duty to my long-adopted country to the utmost extent of my abilities and with a faithfulness unmingled by a selfish feeling, I shall retire from office with the inmost approbation of my own conscience, which I esteem more than the plaudits of men.

DAVID G. BURNET.

The Constitution provided that the first president and vice-president should serve for two years, and those subsequently elected for three years; that the first election should be held on the first Monday in September, 1836, and subsequent elections on the first Monday in September of the proper years; and that the inauguration of the president and vice-president should occur on the second Monday of December following the day of election.

Under the Constitution, the inauguration of Gen. Houston (first term) should not have occurred until December 12, 1836. It took place, however, fifty-one

VICE-PRESIDENTS OF THE REPUBLIC.<sup>1</sup>

	Elected.	Inaugurated.
M. B. Lamar.....	September 5, 1836	October 22, 1836.
David G. Burnet.....	September 3, 1838	December 10, 1838.
Edward Burleson.....	September 6, 1841	December 13, 1841.
Kenneth L. Anderson.....	September 2, 1844	December 9, 1844.

The joint resolution of the United States Congress under which Texas was annexed to the Union passed the House February 25, 1845, by a vote of 120 to 98, and the Senate March 1, by a vote of 27 to 25, and was signed the same day by President Tyler.

May 15th, President Anson Jones called a convention to meet at Austin July 4th, and convened the Ninth Texas Congress in special session. June 23rd Congress passed a resolution giving expression to the consent of the existing government.

The convention that met July 4th accepted the terms of annexation offered in the resolution and formulated and submitted to the people a State Constitution. This Constitution was signed by the delegates August 27th, and was adopted at an election held on October 13th, at which time also the question of annexation was voted on. The voting in this election was not by ballot, but viva voce at each polling place, each voter expressing his will and the same being recorded. On the result being declared, President Jones ordered an election to be held for State officers December 22nd, at which time Gen. Henderson was elected Governor and other State officers were chosen.

The ordinance of the Convention provided that as soon as President Jones was informed of the acceptance of the Constitution by the Congress of the United States, he should convene the newly elected Legislature, which should declare the result of the election for and install the State officers, and thereby consummate the merger of the republic into days before the time appointed, President *Ad Interim* Burnet resigning for that purpose.

Lamar says that "pressure" was brought to bear on Burnet to induce him to resign. Burnet was doubtless glad to surrender the helm of State. This instance of a government voluntarily terminating its existence before the time prescribed by law, and of a government being instituted in its stead without opposition, is altogether unique.

"The returns of election for president and vice-president were made (under the Constitution) to the Speaker of the House of Representatives, who was required to "open and publish" same "in the presence of a majority of each house."

EXECUTIVE DEPARTMENT,  
PORT OF GALVESTON, April 22, 1836.

To the Honorable Lorenzo de Zavala.

SIR: I received your note this day, resigning the office of Vice-President of the Republic.

As no specific reasons are assigned for this unexpected act, nothing more is left for me to do than to express the regret which I feel, in common with the gentlemen who compose the Cabinet, at the deprivation of your service at this interesting juncture in our affairs.

With great consideration,

(Signed)

Your obt. servt.,

DAVID G. BURNET.

the Union. This was done. Texas ceased to be a republic and became one of the United States February 19, 1846. President Jones's declaration in his address concluding the exercises on that occasion, "the last act in the drama has been performed; the republic of Texas is no more," was historically correct, as well as thrilling and dramatic.

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### R. E. PRINCE, CORSICANA.

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R. E. Prince, Corsicana, Speaker of the House of Representatives of the Twenty-seventh Legislature, was born in Coahoma county, Mississippi, in 1859, the son of Joseph P. and Mrs. Sarah C. Prince, both of whom were born in Charleston, South Carolina. Mr. Prince came to Texas in 1882; graduated from the University of Tennessee, at Knoxville, and the Law Department of Cumberland University, Lebanon, Tennessee; was thereupon admitted to the bar by the Supreme Court of Tennessee; was Assistant Adjutant General, with the rank of Lieutenant Colonel on the staff of Maj. Gen. Openheimer, Texas Volunteer Guard; was a delegate to the National Democratic Convention in 1892, and the Anti-Trust Convention, at Chicago, in 1899; was permanent chairman of the State Democratic Convention at Waco in 1900, and represented Navarro county in the House of the Twenty-sixth and Twenty-seventh Legislatures.

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### PRINTING BOARD.

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Secretary of State John G. Tod, Chairman; Attorney General C. K. Bell and State Treasurer John W. Robbins. State Expert Printer and Secretary of the Board, Em. S. Hughes.

Appropriation for six months ending August 31, 1901: First, second and third class printing and binding, and printing papers of first, second and third class, \$10,000; advertisements for State business, \$250; and salary of Expert Printer and Secretary of Printing Board, \$750.

Appropriation for two years ending August 31, 1903 (covering the above items, binding assessment rolls and tax collector's reports, and \$50 for files, books and furniture for Expert Printer), \$24,550.

An act approved February 17, 1873, provided for the election of some person, or firm, by joint vote of the Legislature, to do the public printing, said person, or firm, to hold the contract for one year and to be paid at rates specified. In case of said person, or firm, relinquishing the contract, or a vacancy occurring from any other cause when no Legislature was in session, the Governor was empowered to appoint some person, or firm, to do the work until the position could be filled by legislative election.

Under this act John Cardwell was selected. His bond was approved and filed in the office of the Secretary of State March 3, 1873.

An act approved March 14, 1874, established a more business-like method. It constituted the Governor, Secretary of State, and Attorney General a board to contract with any suitable person, or persons, to do the printing. Something more, however, was needed—the assistance of an expert. Accordingly, an act was passed by the Legislature, and approved March 13, 1875, authorizing the Board to employ a practical

printer "to measure all work done for the State, whenever required to do so by the Board."

An act approved June 27, 1876, constituted the Secretary of State, Treasurer and Attorney General the Printing Board.

An act approved April 23, 1883, directed this Board to employ an expert printer, part of whose duties should be to serve as Secretary of the Board, and fixed his salary at \$1,500 per annum.

These acts fixed the personnel of the Board as it now exists, and established the "office of State Expert Printer and Secretary of the Board."

The public printing is let by the Board to the lowest and best bidders. The Board also lets contracts, in the same way, for all stationery required by the State.

The duties of the Expert Printer, for their proper discharge, require a thorough practical knowledge of all branches of printing and book binding, paper, and bookkeeping. All work done by contractors is examined and passed upon by him before being paid for, and all accounts with the contractors are kept by him.

The Expert Printer provided for by the Act of March 13, 1875, "to measure work done for the State when required to do so," did not stay at the capitol, and gave comparatively little of his time to the State. The conviction steadily grew that something more was needed than to have a man from time to time measure type (and that only when especially ordered); that the State was losing thousands of dollars annually, and that the Board should have the constant assistance of some competent expert of high character, in order to protect the State's interests. That conviction found expression in the Act of April 23, 1883. The good results anticipated have followed.

The present incumbent of the position is one of the most *truly expert* of the men who have filled it.

Mr. Hughes was born at Rockford, Illinois, in 1852; was principally reared in Missouri; and came to Texas in 1872. During the Coke-Davis embroglio he shouldered a gun and joined the force organized to protect the Fourteenth Legislature and to see that Coke and Hubbard were inaugurated, peaceably if possible, and, if need be, in opposition to force. He is a member of the Typographical Union, and has filled every position in the printing business from devil on a country weekly to managing editor of a large daily, and from compositor to foreman and superintendent of some of the largest job printing offices in Texas. Under his direction, a balance will be left of the appropriation for public printing made by the Twenty-seventh Legislature.

An examination of the books in this connection shows that, in his instance, at least, the right man is in the right place.

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## PROTESTANT EPISCOPAL CHURCH.

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This church comprises two dioceses (that of Texas and that of Dallas) and the Missionary District of Western Texas.

### **The Diocese of Texas.**

The Diocese of Texas was organized in 1849, including then the whole State. The present bishop is the Rt. Rev. George Herbert Kinsolving, S. T. D.

*Statistics.*—Clergy, 26; parishes and missions, 59; communicants, 4,635; Sunday school teachers, 257; scholars, 2,473; contributions, \$69,-281.83.

**The Diocese of Dallas.**

The Diocese of Dallas was organized in 1895. The present bishop is the Rt. Rev. Alexander Charles Garrett, D. D., LL. D.

*Statistics.*—Clergy, 28; parishes and missions, 44; communicants, 3,336; Sunday school teachers, 218; scholars, 1,765; contributions, \$40,-644.61.

**The Missionary District of Western Texas.**

The present bishop is the Rt. Rev. Jas. Steptoe Johnston.

*Statistics.*—Clergy, 26; parishes and missions, 52; communicants, 2,977; Sunday school teachers, 202; scholars, 1,689; contributions, \$22,-380.73.

**Institutions.**

The Bishop and Standing Committee of the Missionary District of Western Texas; and St. Mary's Hall, San Antonio, a high school for girls.

Bishop Leonidas Polk (later a General in the Confederate army) first visited the churches in Texas in 1840, and afterwards, in 1844, he urged the organization of an independent diocese in the Republic.

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## **PUBLIC BUILDINGS AND GROUNDS, SUPERINTENDENT OF.**

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This office was created in 1873 by an act of the Thirteenth Legislature, and D. W. C. Nelson, of Hopkins county, appointed Superintendent.

The duties of the position were enlarged by an act of the Fourteenth Legislature approved April 29, 1874, under which Captain W. R. Voight was appointed Superintendent May 5, 1874, and served until 1876, when he was succeeded by Judge John I. Callaway, of Travis county. The next Superintendent was Wm. Neal Ramey, of Shelby county, who was appointed September 1, 1877, and served until April 23, 1879, when (at his suggestion) the duties of the position were by the terms of the appropriation bill passed by the Sixteenth Legislature devolved upon the Commissioner of Insurance, Statistics and History.

The office was revived by an act of the Eighteenth Legislature approved February 7, 1884, and Stephen H. Darden appointed (February 9, 1884) Superintendent. Colonel Darden held the position until January 22, 1887, when he was succeeded by General Wm. P. Hardeman (appointed January 21, 1887). In turn, General Hardeman was succeeded January 18, 1895, by J. R. Mobley, and Mr. Mobley January 21, 1899, by Sam Harlan, the present incumbent.

Too much could hardly be said in commendation of the energy and efficiency of Mr. Harlan. The work accomplished by him in the improvement of the capitol grounds is a source of constant favorable remark.

Since 1884 the duties of the Superintendent have been added to by various statutory enactments. The building of the granite capitol has put under his care that magnificent structure—a responsibility of the

first magnitude—and the position is now justly regarded as one of first importance.

From 1873 to 1889 \$1,200 a year was appropriated as the salary of the Superintendent. It was then (under Governor Ross's administration) increased to \$1,500 and so remained until the regular session of the Twenty-seventh Legislature, when it was increased to \$2,000. At the special session of that body, six months later, the salary was changed back to \$1,500 per annum—presumably solely for the reason that a general effort was made to so cut all appropriations as to cause the expenditures of the State government to certainly fall within the total estimated revenues for the next two years.

During the period antedating the creation of this office the public buildings and grounds were by various statutes placed in charge of one and another of the heads of State departments.

An act of the Eighth Legislature, approved February 2, 1860, is interesting from the fact that it was the only statute of importance on the subject prior to that of 1873. The act of 1860 created a "Board of Commissioners of Public Grounds and Buildings," consisting of the Secretary of State, Comptroller, Treasurer and Commissioner of the General Land Office. Besides supervision of public buildings and grounds and authority to disburse moneys, appropriated for the preservation and improvement thereof, the Board was required "to direct and control the investment of all appropriations, made by the Legislature, for the purchase of books for the State library," and to "make and establish rules and regulations for the management of the library, and use and preservation of the books." Total appropriation for public buildings and grounds placed at the disposal of the Superintendent for the six months ending August 31, 1901, \$26,145; for the two years ending August 31, 1903, \$83,880.

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## PURCHASING AGENT.

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C. P. Dodge, appointed 1899, and reappointed 1901, by Governor Joseph D. Sayers. Office created by an act of the Twenty-sixth Legislature, approved April 19, 1899.<sup>1</sup> Salary of Agent, \$2,000 per annum. Appropriation (to cover deficiency in former appropriation) for the six months ending August 31, 1901, \$933; total appropriation for the two years ending August 31, 1903, \$15,350, which includes salaries of Agent and two clerks, and \$6,750 for steel tanks, burners, pumps, hose, couplings, needle-valves, brass unions, fire-brick, etc., for burning oil for fuel at the North Texas Insane Asylum, State Lunatic Asylum, and Southwestern Lunatic Asylum.

In his report for the year ending September 1, 1901, submitted to the Governor September 1, 1901, Mr. Dodge says:

<sup>1</sup>Section 9 of the act creating the office of State Purchasing Agent contains the following provision: "All bids [for supplies] shall be opened on the date and at the place specified in the advertisement for same, and such opening and inspection shall be made by the Purchasing Agent in the presence of the Governor, Comptroller of Public Accounts, and of the Superintendent and Board of Managers if they desire to be present \* \* \*."

"At the regular session of the Twenty-seventh Legislature, one additional clerk was given this department, Mr. J. B. McLean, formerly and for several years, storekeeper-accountant of the State Lunatic Asylum, receiving the appointment. This addition to our office force was much needed, and the appointee's experience in institution work has been of value to me, and his clerical services accurate and satisfactory.

"Mr. Brodie, my other assistant, has been faithful in the discharge of his duties, and his work performed in a creditable manner.

"With this force it is now possible, by working occasionally at night, to handle the business in a tolerably prompt manner, and the department is now fairly equipped for business.

"I wish again to call attention to the fact that the salaries paid my assistants, \$1,000 and \$900, are hardly on a parity with other department clerks doing similar work. These amounts should be increased to \$1,200 and \$1,000, respectively.

"One evidence of the benefit accruing by reason of more assistance being given this department is the comparatively few emergency purchases made upon behalf of the institutions for the past year [264, aggregating \$17,792.43 in 1900; 46, aggregating \$1,495.43 in 1901].

"The first report of this department's work covered the awards made in November, 1899, and July, 1900. In July, 1901, our regular annual awards were made, the legal requirements of advertising in four papers, opening of bids in the presence of the Governor and Comptroller, etc., being complied with. For the information of all interested, it has been thought best to make as a part of this report the results of awards made at the three regular lettings, giving the names of contractors, a list of some of the staple articles, time of contract. From this exhibit, more forcibly and clearly than by any argument, can it be seen just what progress we are making towards the most economical method of supplying our institutions' wants. Those who have kept posted on the various markets can observe the advantage accruing to the State by reason of the long time contracts let, as well as the saving effected by aggregating the articles (one grade for all) needed for the support of our institutions, as compared with the old system of each institution buying for itself at a time different from any other, and no uniformity in grade obtaining.

"Attention is invited to the following tables, compiled from the official reports of the several institutions named, showing per capita cost, etc., for the years ending October 31, 1897, to 1901. The reports in question cover a period of ten months only, for the year 1901, so, for convenience, the remaining two months completing the year have been estimated on a proportionate basis. The institutions mentioned have been selected because they are the largest, and they are the only ones making per capita cost statements, I believe. It is reasonable to suppose that the other institutions show a proportionate reduction in expense. It will be seen that said institutions are constantly increasing in population, that larger sums have to be expended each year, but at the same time the per capita cost of maintaining them is decreasing. A comparison of the year 1899 (the last the institutions purchased their own supplies), and the year 1900 (the first year of this department), is interesting and instructive. Taking the difference in per capita cost of each institution for the two years mentioned, and multiplying this remainder by the



average population, shows that in 1900 the cost of maintenance was \$17,089.05 less than in 1899. However, it must be borne in mind that, at a conservative estimate, the average values in the grocery line, dry goods, clothing, hardware, coal, drugs, and fresh meat lines were, in 1900, ten per cent. higher than for the year before for similar grades of goods. Said institutions expended for actual maintenance in 1900, \$325,118.51, hence it is evident that said three institutions were conducted more economically by \$49,600, or over fifteen per cent., in 1900 than in 1899. While this department does not arrogate to itself the entire credit for such a showing, and it is fully realized that without the splendid management obtaining at said institutions, no such result could be shown, be the cause what it may, this saving is no less real and true.

	Year.	Average Population.	Actual Maintenance.	Per Capita.
North Texas Insane Asylum.....	1897.	810	\$ 111,428 31	\$ 137 57
	1898.	872	117,205 52	134 41
	1899	1,026	140,550 24	136 98
	1900	1,064	143,516 45	134 88
	1901	1,165	152,813 05	131 17
State Lunatic Asylum.....	1897	700	102,801 00	146 86
	1898	722	101,679 90	140 83
	1899	730	96,226 48	135 92
	1900	744	105,409 35	141 67
	1901	828	106,977 60	129 20
Southwestern Insane Asylum.....	1897	267 $\frac{1}{2}$	43,388 50	162 20
	1898	272 $\frac{1}{2}$	42,293 59	158 87
	1899	309	47,908 98	155 01
	1900	615	76,192 71	123 90
	1901	667	75,584 44	113 32

"In accordance with the provisions of the law relating to such matters, every Texas product has been utilized when practicable. This has brought it about that since the creation of this department our institutions have used, exclusively, Waco pants, cassimere and jeans, and Dallas duck. At the last letting, award for furnishing black socks and hosiery was made to the Gate City Hosiery Mills, at Denison, Texas. In equipping for Beaumont and Corsicana fuel oil, the contract for building storage tanks was awarded the State Penitentiary. Among Texas products used by the State institutions may be mentioned lignite, fuel petroleum, canned fruits and vegetables, macaroni, salt, flour, meal, sugar, rice, soap, some furniture, sewer pipe, mattresses, brown sheeting, fresh meats, some Texas packing house products, illuminating oils, brooms, etc. It is hoped that before a great while Texas manufactories will be furnishing our clothing, blankets and shoes, for which three items nearly \$25,000 went out of the State last year."

## QUARANTINE DEPARTMENT.

Geo. R. Tabor, M. D., State Health Officer; salary, \$2,500 per annum. Appropriation made for the department at the regular session of the Twenty-seventh Legislature, \$53,950; at the second called session, \$98,300, the latter appropriation being for all purposes for the two years ending August 31, 1903. Included in these appropriations is \$45,000 to be expended by, or under the direction of, the Governor for a "fumi-

gating plant at Galveston, to consist in part of a fumigating vessel and equipment for same"; \$15,000 "for building an iron-frame screw-pile for quarantine officer's residence at Galveston"; and \$5,000 "for repairing residence for quarantine officer at Galveston, to be expended under the immediate direction of the Governor."

The fumigating vessel formerly owned by the State at Galveston was destroyed and quarantine officer's residence greatly damaged by the storm of September 8, 1900.

Dr. Tabor says that the fumigating vessel provided for will be supplied with the best improved machinery and so constructed that vessels can come alongside and be disinfected, an arrangement that will save time and expense.

The appropriation for two years provides for inspectors at El Paso, Eagle Pass, Laredo, Brownsville, Aransas Pass, and Sabine Pass at \$1,800 per annum each; for an inspector at Galveston at \$2,000 per annum; for a mounted guard at the mouth of the Rio Grande for six months in the year, at \$75 per month; for an inspector at Pass Cavallo for six months in the year, at \$150 per month; for an inspector at Velasco for six months in the year, at \$150 per month; for a guard at Corpus Christi Pass for eight months in the year, at \$75 per month, said guard "to be under the supervision of the quarantine physician at Harbor Island, and furnish his own boat and supplies"; and for a captain of disinfecting vessel, \$125 per month; engineer of disinfecting vessel, \$125 per month; fireman disinfecting vessel, \$70 per month; disinfector, \$60 per month; assistant disinfector, \$50 per month; deck hand for disinfecting vessel, \$60 per month; engineer at disinfecting plant at Sabine Station, \$900 per annum; disinfector at Sabine Pass, \$60 per month, and five boatmen at \$50 a month each when actually engaged in service.

The only office assistance provided is a stenographer and typewriter.

Heretofore there has been an Assistant State Health Officer. As a result, nearly double work is devolved upon Dr. Tabor, which however, he will doubtless discharge ably and satisfactorily.

Yellow fever has not made its appearance in Texas since 1897, when a few mild cases were reported at Galveston and Houston.

About one hundred years ago there was a destructive yellow fever epidemic in Quebec, Canada, and subsequent thereto yellow fever epidemics in Philadelphia, Boston and New York. The northern line of the yellow fever zone, if such a term is permissible, seems to have since steadily moved southward and to be now gradually retreating below the southern limits of the United States. This is thought to be evidenced by the fact that no cases now occur in the Northern States, and the further fact that out of the total number of cases in New Orleans in 1897, 1898 and 1899, less than one per cent. proved fatal, while in the epidemics of 1880 and prior thereto the percentage of mortality was very heavy.

The selection of Dr. Tabor as successor to Dr. Blunt, who resigned the position on account of failing health, has met with the hearty approbation of his professional brethren and the people at large. His first report to the Governor covers the months of September, October and November, 1901, and shows in detail expenditures for the department during that time.

**STATE HEALTH OFFICERS.<sup>1</sup>**

	Appointed.	Qualified.	Remarks.
Robert Rutherford.....	Apr. 14, 1879	.....	
R. M. Swearingen.....	Mar. 5, 1881	.....	
R. M. Swearingen.....	Mar. 15, 1883	Apr. 9, 1883	
Robert Rutherford.....	Jan. 21, 1887	.....	
Robert Rutherford.....	Jan. 1889	.....	
R. M. Swearingen.....	Jan. 22, 1891	Jan. 22, 1891	
R. M. Swearingen.....	Jan. 21, 1893	Jan. 27, 1893	
R. M. Swearingen.....	Jan. 17, 1895	Jan. 17, 1895	
R. M. Swearingen.....	Jan. 21, 1897	Feb. 1, 1897	Died August 8, 1898.
W. F. Blunt.....	Aug. 11, 1898	Aug. 12, 1898	
W. F. Blunt.....	Feb. 3, 1899	.....	
W. F. Blunt.....	Jan. 17, 1901	.....	Resigned to take effect November 1, 1901.
Geo. R. Tabor.....	Oct. 21, 1901	.....	To take effect November 1, 1901.

**RAILROAD COMMISSION.**

Commissioners: John H. Reagan, L. J. Storey and Allison Mayfield; John H. Reagan, Chairman. Office force: one secretary (E. R. McLean), salary, \$1,700 per annum; one rate clerk (O. D. Hudnall), \$1,500; one general clerk (J. B. Stubblefield), \$1,200; one expert accountant (H. G. Askew), \$2,700; one expert rate clerk (J. J. Arthur), \$2,700; one assistant expert rate clerk (P. H. McNemer), \$2,500; one chief engineer (R. A. Thompson), \$1,920. Salary of Railroad Commissioners, \$4,000 per annum.

Amount appropriated for the support of the Commission for the six months ending August 31, 1901, \$15,255; for the two years ending August 31, 1903, \$60,520.

The latest annual report of the Commission is for the fiscal year ending June 30, 1901. From it are gleaned the following facts:

Two thousand five hundred letters written, nearly all of which related to matters that required careful investigation; over 300 single-shipment authorities issued; more than 75 important matters considered at public hearings, and later acted upon; railway freight tariffs and express tariffs promulgated and adopted, reports of railway and express companies received, examined and acted upon, and examination of the books of railroad companies for data necessary to enable the Commission to accomplish the objects for which it was created, constitute part of the work performed by the body.

"Since rendering our ninth annual report," say the Commissioners, "we have, as usual, caused as many examinations of railroad offices, general and local, to be made as was practical with our limited force.

\* \* \* In every instance the \* \* \* examinations \* \* \* developed full information on the matters under investigation. Some of the results of these investigations have been referred to the Attorney General, and others probably will be in due time.

"\* \* \* Concurrent with the activity and development of the State in other branches of industry, Texas is at present enjoying a period of activity in railroad building such as has not been experienced since 1887. More miles of railway were added to the mileage of Texas during the

<sup>1</sup>Office created by an act of the Sixteenth Legislature, approved April 10, 1879.

The statutes prior to this act, provided only for local officers to enforce such general or partial quarantine as might be ordered in accordance with their provisions.

nine months ending September 30, 1901, than during any previous entire year since 1888, when approximately 316 miles of main line were built. For the six months ending June 30, 1901, the following is an approximate statement of the miles of railroad constructed and brought to the attention of the Commission:

"Cane Belt, 13.7; Chicago, Rock Island & Mexico, 78.7; Eastern Texas, 0.5; Gulf, Beaumont & Great Northern, 9; Gulf, Colorado & Santa Fe, 40; Missouri, Kansas & Texas of Texas, 39; International & Great Northern, 15; St. Louis, San Francisco & Texas, 6.4; Texas & New Orleans, 31.6; Texas Southern, 17; Timpson & Northwestern, 8; total, 258.9.

"Since the above mileage was reported on June 30, 1901, the Commission is advised of the following mileage for the three months ending September 30th:

"Chicago, Rock Island & Mexico, 13; Denison, Bonham & New Orleans, 4; Eastern Texas, 10; Gulf, Beaumont & Great Northern, 10; Gulf, Colorado & Santa Fe, 10; International & Great Northern, 28; Orange & Northwestern, 13; Texas & New Orleans, 6; total, 94.

"Or a total of main line mileage constructed in Texas for the nine months ending September 30, 1901, of 352.9 miles. [The total main line mileage constructed in Texas during the year 1901 was 583.6 miles, according to figures secured from the Commission January 1, 1902.]

The following railroad mileage is under construction, or contracted for, in the State, and includes what may be considered substantial projects and which we are reasonably assured will be carried to immediate or early completion:

"Beaumont & Northern, 35; Orange & Northwestern, 16; Gulf, Beaumont & Great Northern, 40; Eastern Texas, 20; International & Great Northern, 75; St. Louis, San Francisco & Texas, 110; Choctaw, Oklahoma & Gulf, 112; Blackwell, Enid & Oklahoma, 14; Denison, Bonham & New Orleans, 21; Kansas City, Mexico & Orient, 250; Houston & Texas Central, 25; Weatherford, Mineral Wells & Northwestern, 61; Texas & New Orleans, 55; total, 834.

"The following table indicates the miles of main line railroad track in operation on June 30th for each year since the inauguration of the Commission, as shown by the annual statistical reports:

On June 30.	Miles in operation.	Net Increase.
"1891 <sup>1</sup> .....	8,766.3	—
"1892 <sup>1</sup> .....	8,977.5	211.2
"1893.....	9,088.2	110.7
"1894.....	9,153.6	65.4
"1895.....	9,290.7	137.1
"1896.....	9,437.7	147.0
"1897.....	9,484.0	46.3
"1898.....	9,540.2	56.2
"1899.....	9,702.2	161.9
"1900.....	9,867.2	165.0
"1901.....	10,153.8	286.7

"\* \* \* Today Texas stands third in number of miles of main line of railway of the States of the Union. In 1870 it held the twenty-fifth place; in 1880 the ninth; in 1890 the third, which rank it holds today,

<sup>1</sup>On December 31st.

being surpassed by Pennsylvania and Illinois. It is apparent that in a few years Texas will have more miles of railway than any other State."<sup>1</sup>

The report states that during the years 1894, 1895 and 1896 the Commission employed expert engineers, who valued 51 railroads, aggregating 9,057.91 miles of main line, \$143,490,117.01 (an average of \$15,731.01 per mile), "a valuation which is incomplete," says the Commission, "to the extent that it does not show the value of all permanent improvements and additions to roadbed that have been made, and also equipment and other property of the railroad companies since the valuations were made, and hence, to this extent, do not represent the present value of the railroads as would be determined upon the basis for valuation prescribed and adopted by this Commission. \* \* \* During the past year the engineer of the Commission was directed to inspect and value such roads as had not been previously valued, with the following result: \* \* \*

Name of Railroad.	Mileage valued.	Aggregate valuation.	Average value per mile.
Chicago, Rock Island & Texas.....	28.77	\$ 483,760 78	\$ 16,814 76
International & Great Northern. ....	65.75	1,315,000 00	20,000 00
M. K. & T. of Texas.....	75.49	1,396,894 17	18,501 71
New York T. & M.....	31.41	370,747 18	11,804 98
Texarkana & Fort Smith.....	79.24	1,603,788 56	20,239 63
Texas Central.....	39.41	536,589 46	13,615 56
Texas Midland.....	37.60	973,667 56	25,895 41
Total.....	357.67	\$ 6,680,247 71	\$ 18,667 13

Gross earnings of Texas railroads, listed with the Commission, for the year ending June 30, 1901, \$58,179,260.34; operating expenses, \$40,-936,167.35; net income from operation, \$17,243,092.99; total deficits and debits, \$35,144,449.59; total credits, \$20,497,493.53.

Ratio of income to aggregate of stocks and bonds: 2.76 per cent. for year ending June 30, 1895; 1.93 for year ending June 30, 1896; 2.13 for year ending June 30, 1897; 2.88 for year ending June 30, 1898; 3.48 for year ending June 30, 1899; 3.13 for year ending June 30, 1900; 4.75 for year ending June 30, 1901.

Ratio of income to valuation of roads made by the Commission: 7.45 per cent. for year ending June 30, 1895; 5.07 for year ending June 30, 1896; 5.69 for year ending June 30, 1897; 7.48, for year ending June 30, 1898; 8.86 for year ending June 30, 1899; 7.90 for year ending June 30, 1900; 11.43 for year ending June 30, 1901.

Ratio of income to value of roads as assessed for taxation: 14.22 per cent. for the year ending June 30, 1895; 9.76 for year ending June 30, 1896; 11.69 for year ending June 30, 1897; 14.44 for year ending June 30, 1898; 15.86 for year ending June 30, 1899; 14.28, for year ending June 30, 1900; 20.74 for year ending June 30, 1901.

Thus it will be seen that the roads have earned good returns on the capital actually invested and, freed from bonded indebtedness fastened upon them in the early periods of their careers, would forever be clear of debt if the present railroad stock and bond law were not repealed.

Referring to that enactment the Commissioners say: "\* \* \* We

<sup>1</sup>Texas now occupies second place.

think that it can be said with assurance that even its former opponents will not deny the justice and wisdom of its provisions and that their vigorous and judicious enforcement by the Commission has resulted to the \* \* \* advantage of not only the people and commerce of the State, but to the railroads themselves. \* \* \* New railroad enterprises have not been permitted, under its provisions, to load themselves with excessive issues of stocks and bonds, upon which dividends and interest would be demanded by the investors. \* \* \* The stock and bond law has effected not only the new roads, but the old ones constructed and mortgaged prior to its passage as well. With increased earnings the indebtedness of the roads could not be increased proportionately to absorb same, as has been the past practice almost without exception in every State in the Union. As the matter now stands, no railroad in the State can lawfully increase its amount of stock and bonds without the consent of the Railroad Commission, and then only in accordance with the basis laid down in the stock and bond law. With few or no exceptions, the stocks and bonds of old roads aggregate more than the Commission's valuations and, until the properties are improved to the point where their values (to be ascertained by the Commission) exceed their present indebtedness, no further issues can be lawfully charged against them. \* \* \* The following table \* \* \* will indicate a further effect, which, it will be observed, is far-reaching in its influence; that is the gradual reduction of the average amount of stocks and bonds per mile, hence a reduction of what is known as the 'fixed charges' paid out by the railroads of the State as interest upon bonds. The significance of this appears more pertinent when it is remembered that practically all of the securities of railroads in the State are held by non-residents:

1.	2.	3.	4.	5.
1894.....	9,154	\$ 15,076	\$ 25,726	\$ 40,802
1895.....	9,291	14,874	25,420	40,294
1896.....	9,487	14,647	25,202	39,949
1897.....	9,484	14,320	24,793	39,113
1898.....	9,540	14,306	24,036	38,241
1899.....	9,702	13,997	23,562	37,559
1900.....	9,867	13,724	23,202	36,926
1901.....	10,154	12,922	22,649	35,571

"No. 1 indicates on June 30th; No. 2 indicates miles of railway in operation; No. 3 indicates stocks outstanding per mile; No. 4 indicates bonds outstanding per mile; No. 5 indicates total stocks and bonds outstanding per mile. Total reduction for eight years (3) \$2,154; (4) \$3,077; (5) \$5,231. Average reduction per year for eight years (3) \$269.25; (4) \$384.62; (5) \$653.87.

"The average capitalization per mile of the railroads of this State will continue to be reduced from year to year while the stock and bond law remains in effect until such time as it approximates the Commission's valuation of the roads. The value of these, however, it can be readily understood, will be increased above their present valuations to the value of the additions to equipment and permanent improvements and betterments in roadbed and structure that are made."

Number of general officers and employees of roads June 30, 1901, 10,706, an increase of 3,358 over the previous year; locomotives, 1,163, of which 1,154 had train brakes; coaches, etc., in passenger service, 843,

of which 840 were provided with train brakes and 836 with automatic couplers; cars used in freight traffic, 30,906, of which 26,236 had train brakes and 30,372 automatic couplers; cars in companies' service, 2,323, of which 1,543 were provided with train brakes and 2,255 with automatic couplers; total coaches and cars of all classes, 34,072, an increase over the number reported for June 30, 1900, of 3,338. The increase for the year in the number of train brakes on coaches and cars was 3,317, and of automatic couplers 3,401.

The following historical matter was especially prepared for the YEAR BOOK, from original records:

**RAILROAD COMMISSION.<sup>1</sup>**

	Appointed.	Elected.	Qualified.	Term.	Remarks.
L. L. Foster.....	May 5, 1891.	.....	May 5, 1891.	.....	
J. H. Reagan.....	May 5, 1891.	.....	June 10, 1891.	.....	
W. P. McLean.....	May 5, 1891.	.....	June 10, 1891.	.....	
J. H. Reagan.....	Apr. 4, 1892.	.....	Apr. 12, 1892.	.....	
L. L. Foster.....	Apr. 4, 1892.	.....	Apr. 12, 1892.	.....	
W. P. McLean.....	Apr. 4, 1892.	.....	Apr. 12, 1892.	.....	
J. H. Reagan.....	Jan. 30, 1893.	.....	Feb. 9, 1893.	.....	
L. L. Foster.....	Jan. 30, 1893.	.....	Feb. 9, 1893.	.....	
W. P. McLean.....	Jan. 30, 1893.	.....	Feb. 20, 1893.	.....	Resigned Oct. 21, 1894.
L. J. Storey.....	Nov. 14, 1894.	.....	Nov. 21, 1894.	.....	Vice McLean.
J. H. Reagan.....	Apr. 29, 1895.	.....	May 1, 1895.	.....	
L. J. Storey.....	Apr. 29, 1895.	.....	May 1, 1895.	.....	
N. A. Stedman.....	Apr. 29, 1895.	.....	May 1, 1895.	.....	
Allison Mayfield.....	.....	Nov. 3, 1896.	Jan. 5, 1897.	2 years	
J. H. Reagan.....	.....	Nov. 3, 1896.	Jan. 19, 1897.	6 years	
L. J. Storey.....	.....	Nov. 3, 1896.	Jan. 19, 1897.	4 years	
Allison Mayfield.....	.....	Nov. 8, 1898.	.....	6 years	
L. J. Storey.....	.....	Nov. 6, 1900.	.....	6 years	

**RANGER FORCE.**

"The fact that the State has had for some years past a force always ready to suppress disorder, arrest criminals and aid the civil authorities in the protection of courts and jails," says Adjutant General Scurry in his biennial report to the Governor, November 24, 1900, "has been the cause of hundreds of criminals taking refuge in the border States, outside of the jurisdiction of Texas, and in Mexico, who would return to Texas to continue their depredations and murders were it not for the ranger force. Instances can be shown where the moral effect of having the rangers ready to co-operate with the civil authorities anywhere in the State has been a deterrent to the commission of lawless acts, and numerous instances can be shown where whole counties have been purged

<sup>1</sup>An amendment to the State Constitution declared adopted December 19, 1890, gave the Legislature power to create a Railroad Commission. The words "Railroad Commission" were not used in the amendment, however. The Twenty-second Legislature passed a law creating the Commission (act approved April 3, 1891). Under it the Governor appointed the Commissioners.

An amendment to the Constitution, declared adopted December 22, 1894, made the Commissioners elective, fixed their terms of service at six years, and provided that those first elected after the amendment went into effect should hold office as follows: One for two years, one for four years, and one for six years, their terms to be decided by lot immediately after their election; and thenceforth one Commissioner was to be elected every two years for a full term of six years. In case of a vacancy the Governor is empowered to fill it by appointment until the next biennial general election. The salary of the Commissioners is \$4,000 a year.

of their criminal element by the presence of the rangers, who alone were able to restore peace and good order in the community.

"In reality, the so-called Frontier Battalion is but four small detachments. The reports received at this office indicate that these men, while fearless and prompt in the performance of their duty, have always acted with discretion and in the most orderly manner. Their well-known reputation for courage of itself has had a most salutary and good moral effect on the lawless element of the communities where they have been stationed.

"Since January 1, 1899, the officers and men of the Frontier Battalion have been very actively engaged in running down the criminal element in the West, and in subduing lawlessness in other portions of the State. The rangers have only been used in other portions of the State when a direct request on your Excellency was made by the civil authorities of cities or counties needing them. That their work has been effective and to the satisfaction of those requesting their service, it is only necessary to refer to letters on file in this office in reference to their efficiency received from citizens and officials of the various cities and towns to which rangers have been ordered. \* \* \*

"By the direction of your Excellency, I proceeded to all of the places to which rangers have been ordered where serious trouble was feared. I am pleased to state that in no instance did I find any rowdyism or failure on the part of a single ranger to perform his duty. The fact is, in several instances they have been required to stand guard for an unusual length of time and to perform the most dangerous character of work, and in every case they have performed their duties discreetly, willingly and unhesitatingly, and frequently under the most trying conditions. Capt. L. P. Sieker, Quartermaster of the Frontier Battalion [Name changed to "Ranger Force" by Twenty-seventh Legislature.] has also been ordered out on a number of different occasions in connection with the suppression of lawlessness, and has frequently come in contact with the rangers now in service, and he makes the same statement in reference to the rangers he has met. \* \* \*

"In addition to the protection needed by cattle men from thieves in the western portion of the State, it is frequently the case that the sheriff of a county becomes involved on one side or the other of a faction or feud, and for him to assert his authority by making arrests frequently results in fights of a serious character. It is in these instances that the ranger, who is entirely impartial and not governed by local influences, can work most effectually. \* \* \*

"I recommend that the law governing the ranger service be so amended 'that the officers, non-commissioned officers and privates of the ranger force be clothed with the powers of peace officers to aid the civil authorities in the execution of the laws anywhere in the State; that they be given authority to make arrests, and in such cases to be governed by the laws regulating and defining the powers and the duties of sheriffs when in discharge of similar duties.' [The Attorney General had ruled that only commissioned officers had that power.] That this force consist of not to exceed four companies of twenty men each. The commissioned officers to be four company commanders, each with the rank of captain, one quartermaster with the rank of captain and four first sergeants. The pay of the officers and non-commissioned officers to be as heretofore prescribed, and the pay of privates to be \$40.00 per month.



By increasing the pay of the privates, the State will secure the services of a better class of men, who will remain in the service a longer time and do more efficient work."

The Twenty-seventh Legislature passed an act (approved March 29, 1901) fully complying with the above recommendations. Under this act the captains are paid \$100, the sergeants \$50, and the privates \$40 a month.

The officers and men furnish their own horses, horse equipments, clothing, and arms, the State supplying them with arms at cost. They are furnished rations and ammunition, reimbursed for horses killed in service, cared for when sick or wounded, and, if need be, buried if death comes to them in the discharge of duty.

Under the above law the ranger force was reorganized July 8, 1901, as follows:

J. A. Brooks, Captain Co. A; headquarters, Alice, Texas.

W. J. McDonald, Captain Co. B; headquarters, Amarillo, Texas.

J. H. Rogers, Captain Co. C; headquarters, Laredo, Texas.

J. R. Hughes, Captain Co. D; headquarters, Fort Hancock, Texas.

First Sergeants: A. Y. Baker, Co. A; W. J. McCauley, Co. B; H. G. Dubose, Co. C; Enoch Cook, Co. D.

L. P. Sieker, Adjutant General's Office, Captain and Quartermaster.

The total arrests made by the rangers for the year ending October 31, 1900, were 1,276, of which 562 were for offenses less than felonies. During the same period they had five engagements with criminals, in which six criminals were killed and five wounded. One ranger was killed and one wounded. Five hundred and forty-eight head of cattle were recovered and returned to the owners. The members of the force made 1,545 scouts and traveled an aggregate of 213,814 miles during the period specified.

The Twenty-seventh Legislature appropriated \$30,000 per annum for the maintenance and support of the ranger force in the suppression of lawlessness and crime for the two years ending August 31, 1903.

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## JOHN H. REAGAN.

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John H. Reagan, Chairman of the State Railroad Commission, was born in Sevier county, Tennessee, October 8, 1818, the son of Timothy R. and Mrs. Elizabeth (Lusk) Reagan; was a student at Nancy Academy, Sevierville, Boyd's Creek Academy, Sevier county, and Southwestern Seminary, Marysville, Tennessee, where he acquired a good English education and some knowledge of the classics; came to Texas in May, 1839, unaccompanied by his parents, a few months before attaining his majority; volunteered shortly thereafter as a private soldier in Gen. Thomas J. Rusk's regiment, and participated in the battles of July 15 and 16, 1839, with the Cherokee and other tribes of Indians; was appointed, in the autumn of 1839, deputy surveyor of public lands, and held that position for about four years, alternating with work on the farm and as a private tutor for the children of the late John Durst, of Nacogdoches county; was elected in 1842, while absent from his home, Captain of a company of militia and Justice of the Peace of his precinct; was for a short time in 1843 Captain of a company that helped to suppress the threatened war between Moderators and Regulators in

Shelby county; engaged in farming and stockraising in what is now Kaufman county in the fall of 1844, and began the study of law; received a temporary license to practice, and was elected Probate Judge and Lieutenant Colonel of Militia for the newly created county of Anderson, in 1846; was elected to the Legislature in 1847 to represent the district composed of Nacogdoches, Angelina, Cherokee, Smith, Henderson, Kaufman, Van Zandt and Wood counties, and part of Upshur, Hunt, Dallas and two other counties; was regularly admitted to the bar in 1848, and actively engaged in the practice of law until 1852, when he was elected District Judge for a term of six years. After serving four years of the term, he resigned in 1856 and was re-elected for another six years. While holding court at Kaufman, he was nominated for election to the Thirty-fifth Congress by the Democratic Convention for the Eastern District of Texas that met at Tyler, May 13, 1857, defeating for the honor, after a sharp contest, Malcolm D. Graham, — Lane, Pendleton Murrah and Geo. W. Smyth. General Taylor, of Cherokee, was chairman of the convention, and Thos. P. Ochiltree, H. Chilton and Judge Cantley, secretaries. The committee appointed to notify Judge Reagan of his nomination consisted of J. I. Burton, M. D. Ector, Wm. M. Taylor and John M. Crockett, and to them he addressed his letter of acceptance. Texas at that time was divided into two Congressional Districts. The First, or Eastern, District embraced all the territory east of the Trinity river; and the Second, or Western, all the region west of that stream to the Rio Grande. Judge Reagan's opponent was Lemuel Dale Evans, who was then member for the district and who represented the opposition to Democracy.

The Democratic State Convention met at Waco, May 14, 1857, and put out a full State ticket, headed by Hardin R. Runnels for Governor. Know Nothingism was rampant. A hard fight was on. Evans showed himself an adroit campaigner and made the contest in the First Congressional District somewhat interesting and exciting, until Judge Reagan produced and read, at Jefferson, in the course of a joint debate with him, a letter written by the gentleman, that completely turned the tide in favor of the Democratic standard bearer.

In that canvass Judge Reagan established the reputation of being without a rival for ability as an organizer and effectiveness on the stump, and thereafter maintained it in every political contest in which he went directly and personally before the people.

He was elected to the Thirty-sixth Congress in 1859; was a delegate to the State Secession Convention that met at Austin, January 28, 1861, and with others was sent as a delegate to the Provisional Congress of the Confederacy; was appointed Postmaster General of the Confederacy by President Davis March 6, 1861, and, on the organization of the regular government under the Confederate Constitution, the appointment was confirmed by the Senate; served as Postmaster General through the war, and for a short time prior to the end of the struggle as Secretary *ad interim* of the Treasury; and was captured with President Davis and other members of the presidential party May 10, 1865, near Irvinville, Ga., by pursuing Union cavalry under Col. Pritchard, and imprisoned in Fort Warren, in Boston harbor, with Vice-President Stephens. He was released several months later and immediately proceeded to Washington, where he took action that resulted in the speedy release of others of the party who were still languishing in Federal dungeons.

On returning to Texas he repaired to his farm, where for two years he held the plow handles himself and bent all his energies to repairing, as far as might be, his shattered fortunes. While so engaged an agent, sent from Galveston by Gen. Griffin, Military Commander of the District of Texas, called upon him and tendered him appointment as Governor, saying the general considered him a conservative man, to which Judge Reagan promptly replied that he would not accept the appointment; that he would accept the office under no other circumstances than those of selection by the free choice of the Democratic party and the untrammelled voice of the people of Texas expressed at the polls in accordance with the terms of a constitution of their own making.

Later Judge Reagan resumed the practice of law at Palestine; was a member of the Convention of 1875 that framed the present State Constitution and swept away the last vestige of Radical carpet-bagism in Texas; was elected a member of the House of the United States Congress November 3, 1874, and re-elected in 1876, 1878, 1880, 1882, 1884 and 1886 (his term of service extending from the Forty-fourth to the Forty-ninth Congress); was elected by the Twentieth Legislature to succeed Hon. S. B. Maxey in the United States Senate, February 1, 1887; took his seat in that body March 4, 1887; and, in response to solicitations of Governor Hogg, resigned his position as United Senator April 4, 1891, to accept appointment as Chairman of the State Railroad Commission, provided for by an amendment to the Constitution submitted by the Twenty-first Legislature and created by an act of the Twenty-second Legislature. Judge Reagan's term as United States Senator would not have expired in due course until March 3, 1893. His resignation involved considerable sacrifice, to which he submitted with a cheerfulness that demonstrated his willingness to serve the people wherever it was deemed his knowledge and talents could be utilized to their best advantage.

He qualified as a member of the Railroad Commission May 5, 1891, and as such has since labored with a zeal and intelligence that has made that body, as near as may be, realize the hopes entertained when it was called into being by the popular will.

He was married in 1866 to Miss Polly Ford Taylor, and has six children living. Mrs. Reagan's father was one of the early settlers of Anderson county.

Judge Reagan is a member of the M. E. Church, South, and Masonic fraternity. In Masonry he has taken the Knight Templar Degree, is Past Master of the lodge at Palestine, and has filled a number of positions in the Chapter and Commandery in that city. He is President of the Texas Historical Association.

In the Congress of the United States he was the author of the interstate commerce law and much other important legislation. During his years of service in Congress he was one of the most notable figures in that body and enjoyed a fame that grew steadily until his name was on men's lips coupled with terms of praise, not only in the State and republic that he sought patriotically, ably and fearlessly to serve, but in those lands beyond the seas that enjoy a measure of civil liberty and representative government. He left Congress with that fame untarnished, and the years of hard labor that have followed in a less conspicuous sphere have added what was needed to impart to it the element of permanency.

He was one of the principal organizers of the silver forces in the presidential campaign of 1896, and has continued to take an active part in politics in the interest of Democracy.

In recent years he has contributed several interesting and important articles to Texas historical literature, and at reunions has delivered speeches in which recollections of incidents connected with the lives of Davis, Lee and other like Confederates are embedded in language rich with choice phrases of rhetoric, feeling, and noble thought, and that will preserve remembrance of the great departed, as it were, in amber for a posterity to whom the history of these days will be that of remote antiquity.

## RICE CULTURE, HISTORY, STATUS AND POSSIBILITIES OF.

"The rice industry of Texas," says *Rice Industry*, a trade journal published at Houston, Texas, "dates back about six years, when in 1895 its development was appreciable in Jefferson county. It was not, however, until 1899 that it began to spread, making a jump in that year across to Colorado county, when Captain William Dunovant planted 300 acres on prairie land at Eagle Lake. In 1900, rice was growing in Jefferson, Orange, Liberty, Chambers, Harris, Colorado, Wharton and Matagorda counties. In 1901, the rice area was defined by successful crops in Jefferson, Orange, Hardin, Liberty, Chambers, Harris, Galveston, Fort Bend, Brazoria, Austin, Lavaca, Waller, Colorado, Washington, Wharton, Matagorda, Calhoun, DeWitt, Jackson and Victoria counties. Twenty counties represent the rice area in Texas today, and practically cover nearly all the level prairie region susceptible to development in profitable rice production. In some of the counties enumerated very small beginnings were made last year, while others grew very extensive crops, the aggregate being about 125,000 acres, but sufficient evidence in every instance will warrant two and three times increased acreage the coming season. In this prairie country water is found in various streams and lakes, and underlying it all at depths of from thirty to eight hundred feet are different stratas of water-bearing sand and gravel, which afford ample water for irrigating purposes. More than 2,000,000 acres yet undeveloped comprise this great rice area, where the following prerequisites to successful rice culture will obtain: 1. Level prairie, easily drained. 2. Water sufficient for irrigation. 3. Clay sub-soil at shallow depths for holding water.

"The following are statistics compiled by Judge Norman G. Kittrell, of Houston, Texas:

### "RICE PRODUCTION.

Years.	Acres.	Barrels.
"1895.....	2,000	18,000
"1896.....	5,000	50,000
"1897.....	10,000	80,000
"1898.....	18,000	180,000
"1899.....	40,000	425,000
"1900.....	70,000	500,000
"1901.....	100,000	950,000
"1902 (estimated acreage).....	170,000	

"Commercial estimates of the area sown to rice in 1901 in Texas," says a bulletin of the United States Department of Agriculture, "range from 75,000 to 115,000 acres. The annual report of the New Orleans Board of Trade gives the 1901 area in rice in Louisiana at 225,000."

Texas farms produced more rice in 1901 than the total amount produced in the United States in 1890.

The *Beaumont Daily Enterprise* says:

- "1. The average farmer raises 200 acres of rice.
  - "2. The average yield per acre is 11 barrels (44 bushels) rough rice as it comes from the thresher—162 pounds to the barrel. Very many planters make from 15 to 20 barrels per acre.
  - "3. The price fluctuates from \$2.75 to \$3.50 per barrel, according to quality.
  - "4. Allowing the farmer ordinary wages for himself and teams, it costs to raise \$5.00 per acre more than wheat, or a total of \$14.00 per acre at most.
  - "5. Four thousand dollars is the average clear profit of the average rice farmer on the average rice farm of 200 acres \* \* \*.
  - "6. Lands suitable for rice are smooth (not necessarily level), comparatively high and well drained. A marsh is not used for rice growing.
  - "7. Fields are plowed with a gang or sulky plow, and cultivated thoroughly with a disc harrow, just as for wheat or oats. \* \* \*
  - "8. One and one-fourth bushels of seed per acre is used and is sowed any time from March to July. Good farmers use the best press drills for planting.
  - "9. Levees or dykes are constructed with a plow and a V-shaped scraper, on lines previously laid out by an engineer. These hold the water on the fields at an average depth of three inches.
  - "10. When rice is six to eight inches high it is flooded by fresh water by pump, canal or otherwise. Water is delivered at the highest point on the farm, and by little flood gates in the levels fills level after level between the levees till the whole farm is flooded at least three inches deep. It is kept so flooded for about seventy days.
  - "11. An ample supply of fresh water, affording daily from one and a half to two million gallons for 200 acres, is absolutely necessary for sixty to seventy days. This keeps the rice flooded three inches deep and makes up the daily loss from evaporation.
  - "12. Irrigation is supplied by canals built upon the highest ridges of the prairie from a fresh-water bayou or river, from which the water is pumped into the canal; or water is had from deep wells eight inches in diameter and varying in depth from 135 to 200 feet. From one such well a sixteen horsepower engine can pump enough water for 200 acres."
- "I find no record of as many wells in any country as we have here," says S. L. Cary. "We read of seventy-five in the Great Sahara, giving six hundred thousand gallons per hour, changing a large territory from a desert to a garden. Our shallow wells give more than ten times as much water as those, with the great advantage of a clay over a sandy soil in case of flooding and irrigation.
- "The past season of drouth has tested the capacity of our wells to the fullest extent, having broken all records for heat and drouth. A six-inch well is good for eighty or one hundred acres; an eight-inch, one hundred and fifty to two hundred and fifty; a ten-inch, two hundred to three hundred and fifty; a twelve-inch, three hundred to four hundred acres. Less

acres to the man and team is the rule now, fifty to one hundred for one man and team is better than more.

"The rice belt will have more wells than any similar area on earth. It has already acquired the title of the best agricultural belt in the United States. But what will it be with the thousands of wells sure to be drilled? \* \* \* Wells will change the tenants to freeholders, citizens, voters, and change our farming from skimming the surface to intensive, practical, scientific farming."

Speaking of the history of rice culture in the United States, De L. Evans, of South Carolina, says:

"I regret that patient research and the histories of the Carolinas offer me so little return for honest labor devoted to the subject of rice. \* \* \* What they have to say on that subject is indeed limited.

"The first rice planted in America was planted by Sir William Berkeley, in Virginia in the year 1647, but that latitude proving too far north, its success was only partial, and insufficient to warrant further experiment or attention. Again, it is said, but without authentic authority, that the colony of Sir John Yeaman, in the year 1669, at a settlement on the Cape Fear river in North Carolina, tried rice, and with gratifying success, but we must refer to the date of its introduction into South Carolina, in the year 1694, as the first successful experiment in rice growing in the United States.

"In 1694, a vessel bound for Liverpool, from Madagascar, was blown out of her course, and put into Charleston, S. C., for needful repairs. Her captain, having been shown unusual kindness and attention, and desiring to evidence in some way his appreciation, presented to one Landgrave Thomas Smith a small parcel of rough rice, taken from his ship stores, and suggested the planting of same might possibly prove to the new country a valuable article for food, and perhaps later for export. That this proved true, subsequent events have established. The seed was planted and cultivated in the garden of Mr. Smith (now Longitude Lane in the city of Charleston, S. C.), and the product carefully harvested and distributed throughout the colony, and from this source was developed our Carolina rice, known the world over for its superior style and character. The culture was, of course, limited at first, but as the colonists learned by experience its peculiar requirements, it developed rapidly, and during ten years from 1720 to 1729, inclusive, the exports reached 44,081 tons.

"During the next ten years 100,000 tons were exported, and a little over thirty years later 24,000 tons were exported in one year.

"Within the period of the next fifty years, the culture extended into North Carolina and Georgia, and the product of the three States in 1861 was 41,851 tons; the product continued to increase, varying with favorable and unfavorable seasons."

The following is from *Current Events*, a publication issued by the Kansas City Southern Railway in January, 1902:

"Within the last ten years Texas and Western Louisiana have increased the rice growing area to such extent as to furnish three-fourths of all the rice produced in the United States.

"The total consumption of rice in the United States in 1897 was, domestic, 113,400,000 pounds; imported, 225,000,000 pounds. The product of Texas and Louisiana in 1899 was 100,326,000 pounds; of South Carolina, 27,000,000 pounds; and of Georgia, 13,000,000 pounds.

The average annual production for the ten years ending 1896 was about 145,120,000 pounds of cleaned rice. The import in 1899 amounted to 153,837,026 pounds. No estimates relating to the actual acreage under cultivation in rice have come to the knowledge of the writer, but figuring on an average crop of 1,620 pounds or ten sacks to the acre, about 145,000 acres must have been devoted to this crop during the ten years preceding the year 1896. In Bulletin No. 22, U. S. Agricultural Dept., entitled 'Rice Culture in the United States,' it is estimated that about 3,000,000 acres of land, situated in the five States bordering on the Gulf of Mexico, could be successfully irrigated and used for rice culture. Allowing for a rotation of crops one-half of this land could be in rice cultivation each year. About 2,500,000,000 pounds of rice could be annually produced, which would be nearly six times more than our present consumption. \* \* \*

"Rice culture," says a well-informed writer, under date of January, 1902, "has brought about a more rapid development of the Gulf coast and has done more in this direction than any other agricultural specialty. In 1885 lands in Calcasieu parish, Louisiana, and Jefferson county, Texas, were deemed practically worthless. Today these lands are worth \$10 to \$40 per acre. In consequence of the development of rice culture, new towns have been created, old towns enlarged, new branch lines of railroad built, and new manufacturing enterprises established.

"The harvesting of rice does not differ from the harvesting of other small grain, and is done at the same expense and with the same machinery, and the same applies to the threshing of rice. Ten barrels or sacks of rice, weighing 162 pounds each, are considered an average crop, though under favorable conditions twelve to eighteen and more are frequently produced. The price fluctuates as with other grains, running from \$2.00 per barrel to \$4.50 and higher, with a good average of \$3.00 per barrel.

"Land upon which rice is planted very early, say in March, and where the crop matures early, can be utilized for growing a second crop of rice the same season which can be cut for hay, and will bring from \$10 to \$20 per acre. By cutting and removing the crop of rice as soon as it is matured, and then flooding the ground immediately, the sprouting will start from the rice roots at once, and will soon make a fine growth and mature grain. Some farmers have taken eight to ten barrels of rice per acre from these second crops.

"The marketing of rice is easily accomplished and quickly done. Rice warehouses are found in all towns in the rice growing region. There are some thirty mills in operation, which were erected at a cost of more than \$1,750,000. Of these there are four large mills at Beaumont, one at Orange, and one at Port Arthur, in Texas; one at Galveston; one at Houston; eight at Crowley, La.; two at Lake Charles, and one each at Easterwood, Gueydans, Mermentau, Jennings, Welsh, Fenton, West Lake and Opelousas, in Louisiana.

\* \* \* A modern American mill will clean from 500 to 5000 barrels of rice per day. The rough rice as delivered to the mill is carried on elevators to the top floor and is run into a machine, an agitator and fan, which removes the straws, sticks, dust and loose chaff, and then passes into a machine which removes the hull, leaving the brown grain, then through a machine which removes the bran, next to the brush room, where it is polished by passing between great pieces of rubber and wooly

sheep skin and closely woven wire screens removing the outside integument, and emerges as a beautifully white, pearly, almost transparent, grain. Then it passes through a series of screens which separate the whole grains from the broken ones, and the broken grains into uniform sizes. The polish, after being removed, is reground and bolted until as fine as patent process flour. All these processes, including the weighing, are automatic, and the grain passes from the ground floor to the top floor seven times during the process of cleaning. The chaff is automatically carried to the furnaces and constitutes the fuel."

"The use to which the by-products of rice are put in Japan and the Orient are innumerable. It enters into the composition of practically everything used by the natives in the construction of their homes. Furniture, glue, picture frames, hats, shoes, clothing, roofs of dwellings, paper, currency, and many other things are manufactured by utilizing the products of the grain."

"An interesting feature of the development of the rice industry that is daily growing in importance, as its value is recognized, is the utilization of the by-products of the staple that formerly went to waste," says *Rice Industry*. "As cotton seed has been converted into a rich source of revenue, so rice straw that we used to burn is finding a use and a market that adds materially to the producer's profits."

"Rice bran and rice polish are recognized valuable by-products; they have long enjoyed a place in the markets and, while not included in the statistical tables showing the value of the rice crop, they are none the less a considerable factor in the aggregate that is too often overlooked in estimating profits on returns from rice growing. The place of these by-products, as we have said, is fixed; but that of rice straw is just entering upon the field of utilization, with every promise of commanding a recognition that will make its harvesting and preparation for market a matter of as much concern with the grower as the harvesting of the rice itself."

"It has been demonstrated that rice straw, as a forage, is superior to prairie hay; and last season, where properly cured and baled, brought \$7.00 to \$8.00 per ton f. o. b. at point of shipment. An acre of rice produces about two tons of straw, which, at \$7.50 per ton, means \$15.00 per acre for the straw which we used to burn."

S. F. B. Morse, Passenger Traffic Manager of the Southern Pacific Railway, acting for his company, has done and is doing magnificent work in the interest of the development of the rice industry in Texas and Louisiana. The following is from an address delivered by him at the first general session of the Rice Association of America, at Crowley, La.:

"\* \* \* There are fourteen hundred varieties of rice known. It was \* \* \* in 1847 made a part of the products of alluvial Louisiana. \* \* \* What a single State can do in the way of rice consumption is evidenced by the reports which show that California alone consumed 42,000,000 pounds, 36,000,000 pounds being imported from China, Japan and Honduras. As proof that rice may be grown cheaper in this country than in the East, I would like to mention that while an acre in China produces from four to nine barrels, the prairie lands of Louisiana and Texas produce from ten to eighteen barrels."

"I might mention in this connection, as showing the growth of the industry and the positive increase within the next few years, a few facts of interest, contained in the statement that only 350,000 acres of land are in rice cultivation at present in the two States, out of a possible



3,000,000. The capital invested in the industry approximates \$20,000,000, divided as follows: Land, \$5,000,000; rice mills, \$2,000,000; canals, \$5,000,000; wells, \$750,000. The value of the product per annum nearly equals the investment.

“\* \* \* A significant fact, showing the rapid increase in production, may be found in the statement of the government that the year 1900 produced 9,000,000 pounds in excess of 1899, while 1901 manifests, so far, the wonderful increase of 65,000,000 pounds in excess of 1900. The present ratio of increase both in Louisiana and Texas, and the added acreage in the two States for the next season, will place the United States at the end of 1902 in a position where imports of foreign rice will be unnecessary unless consumption is vastly stimulated and increased.

“\* \* \* The success of the Rice Kitchen at the Pan-American Exposition has opened one channel for acquainting the masses with rice and its adaptability as food. Our ingenuity and persistence must discover others. Trebling the present per capita of rice consumption, and this is a small increase, means adding over a half million acres to our fields and \$25,000,000 to our income. Aside from this, we must supply the demand of Cuba, which consumes 80,000 tons, or \$6,400,000, and of Porto Rico, whose people now import rice to the value of \$2,400,000. The people of England, France and Germany will be forced to patronize American rice because of the difference in ocean freight rates from the fields of the Orient, while even the far-off Philippines, which grow but 36,000,000 pounds, and import a much greater quantity, must draw upon our crops.

“\* \* \* The Southern Pacific has distributed over 60,000 copies of its rice cook books, 50,000 going over the counters of the Rice Kitchen at the Pan-American under the direction of Mr. Eggleston. I am advertising the book, with its 200 receipts, in every paper with which we have contracts; on every excursion flyer, every foreign advertisement, and am mailing, on request, from my Houston office from twenty-five to fifty copies of the book daily to all parts of the country.”

At this time (February, 1902) Mr. Morse and others are arranging to establish a bureau in Chicago, in charge of an agent, whose business it will be to turn toward the rice lands immigrants in search of farms.

The Rice Association of America, an organization composed of farmers and others in Texas and Louisiana interested in rice production, was chartered under the laws of Louisiana December 12, 1901, and has its domicile at Crowley, La. The following are the officers of the Association: Seaman A. Knapp, President, Lake Charles, La.; Miron Abbott, First Vice-President, Crowley, La.; Oswald Wilson, Second Vice-President, Houston, Texas; De L. Evans, Third Vice-President, Wilmington, N. C.; S. Locke Breaux, Fourth Vice-President, New Orleans, La.; Alex B. Allison, Secretary, Crowley, La.; H. C. Drew, Treasurer, Lake Charles, La. Directors: S. Locke Breaux, Seaman A. Knapp, Miron Abbott, Oswald Wilson, De L. Evans, A. B. Allison, H. C. Drew, Henry L. Gueydan, W. R. Farmer, W. C. Moore, D. Reynershoffer, J. R. Haber, C. A. Lowery, E. Daboval, J. E. Broussard, A. H. Hunter, William Durrant and A. B. Borden.

## JOHN W. ROBBINS, STATE TREASURER.

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John W. Robbins, State Treasurer, was born in Talladega county, Alabama, November 12, 1852, the son of Solomon and Mrs. Amanda (Fund-erburgh) Robbins, Alabamians by nativity, the former born in Montgomery county in 1818 and the latter in Autauga county in 1836.

His parents moved to Smith county, Texas, in 1859, and he there grew to manhood, and in 1877 married, at Tyler, Miss Sarah Long, daughter of Capt. R. B. Long.

As a member of the firm of Robbins & Long, he engaged in contracting and building, and incidentally in the transfer business and dealing in cattle and other live stock, until 1889, in which year he moved to Vernon, Wilbarger county, near which place he engaged in farming and ranching, and was residing there when nominated by the Democratic State Convention for State Treasurer in the summer of 1898, and the people elected him to that high office in November following.

His selection for this position was a result of twenty years of faithful service in the interest of Democracy and the fact that he acquired favorable prominence as a member of the Twenty-fourth and Twenty-fifth Legislatures, in which bodies he represented in the House the One Hundred and Third Legislative District, composed of Wilbarger and Wichita counties.

His personal integrity and ability are recognized by all. His merits as a Christian gentleman and unwavering, faithful Democrat have attached to him a multitude of friends who doubt not that, strong in the confidence of the people, he will be continued in his present position and, in later years, advanced to other honors.

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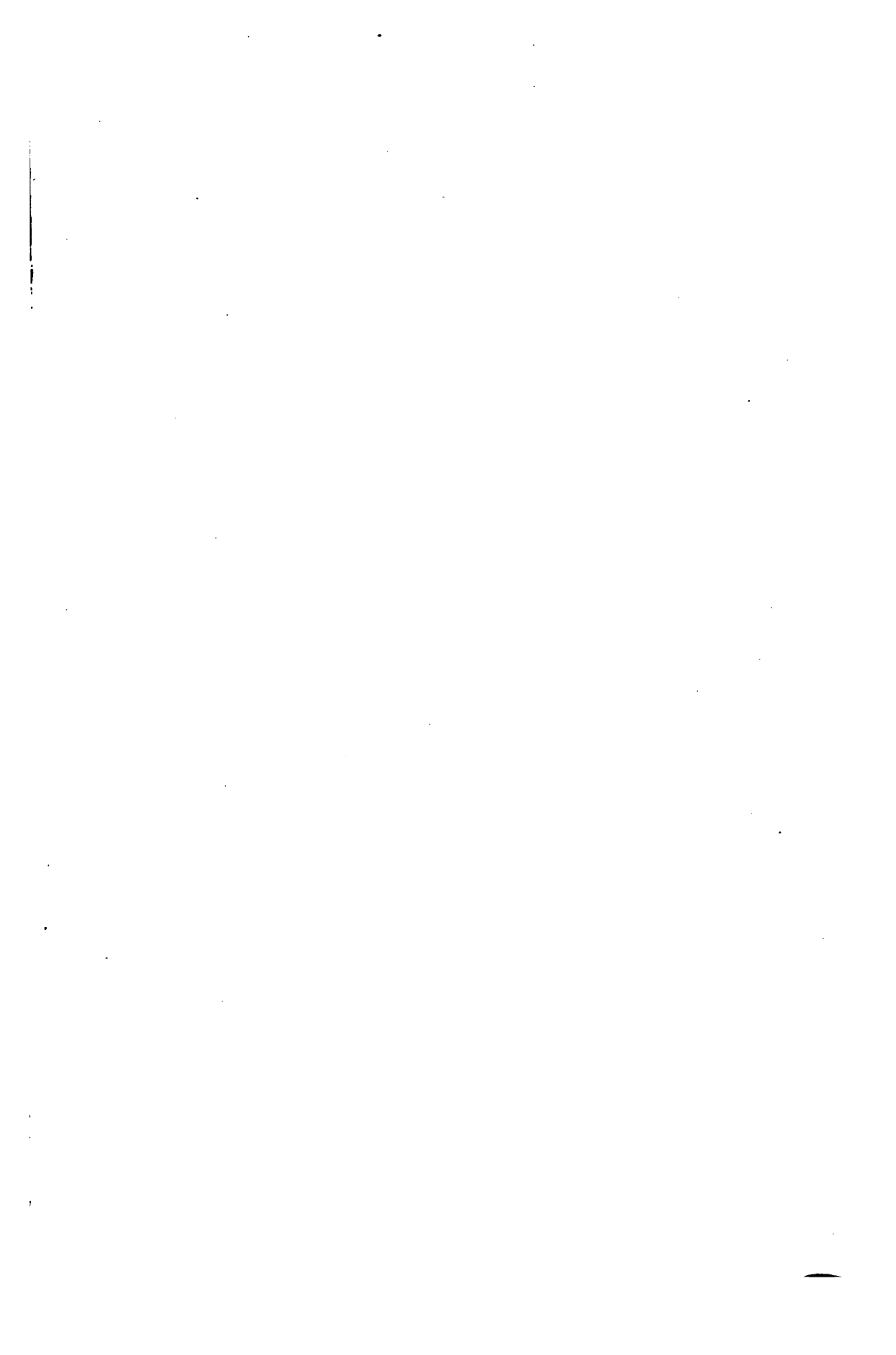
## CHARLES ROGAN, COMMISSIONER OF THE GENERAL LAND OFFICE.

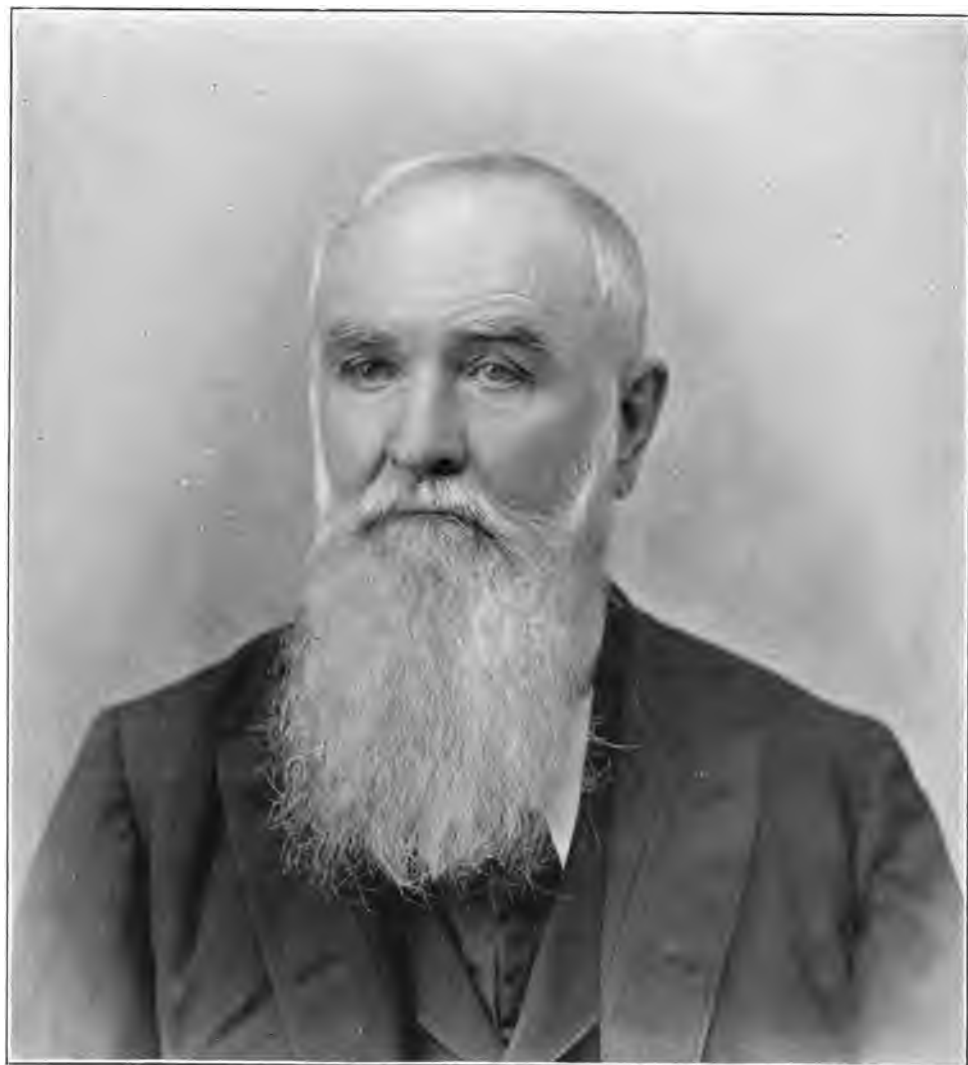
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Charles Rogan, Commissioner of the General Land Office, was born near Ripley, Mississippi, February 3, 1858, the son of John N. and Mrs. Mary M. Rogan; was brought to Texas in 1861 by his parents, who located in Lee county, this State, his father almost immediately enlisting in the Confederate army and dying six months thereafter at Little Rock, Arkansas; graduated from the Agricultural and Mechanical College of Texas in 1879; studied law at Harvard University in 1881-83; was admitted to the bar at Giddings in 1883; located at Brownwood, January 1, 1884; was for four years County Attorney and for two terms County Judge of Brown county; represented Brown, Comanche and Mills counties with distinguished credit in the House of the Twenty-second Legislature; was appointed, in May, 1899, Commissioner of the General Land Office by Governor Sayers to fill the vacancy caused by the death of Commissioner George W. Finger; and in July, 1900, was nominated for the position by the State Democratic Convention at Waco, and elected at the general election in the following November.

He was united in marriage to Miss Fannie V. Stewart, at Bastrop, Texas, December 1, 1885, and has four children.

Judge Rogan is a member of the M. E. Church, South.





**HON. A. J. ROSE**

**A. J. ROSE, SALADO.**

The life work of few men in Texas has redounded so much to the substantial good of the communities in which they live and the State at large as that of Major Rose has to the section in which he has so long resided and to the commonwealth. His activities have taken a wide range and been simultaneously employed in many important fields of effort with marked ability and great energy, force of individuality, and effectiveness. In every employment and situation, in the days when he dwelt as a pioneer in the wilderness, and in those that have succeeded, he has been a notable figure in the life of the times.

He was born in Caswell county, North Carolina, September 3, 1830, the son of H. S. Rose (a planter whose ancestors were among the first settlers of North Carolina) and Mrs. Mary (Durham) Rose (also descended from a distinguished pioneer family of that State).

In the early '30s H. S. Rose moved to the frontier of Missouri with his family, and lived until 1836 or 1837 in Howard and Randolph counties, and thereafter in Macon county, where he established a farm, built the first mill in that section of the State, and lived, until his death in 1846, as an enterprising and respected citizen who did much for the development of the country.

Major Rose's boyhood was spent upon his father's farm and in his mill. In 1849 he, with seven companions, went overland to the gold diggings of California. In 1853 he returned to his home in Missouri, farmed there until 1857, and then came to Texas with his young wife, *née* Miss Sallie A. Austin, daughter of Walker and Mrs. Euphama (McKinney) Austin and niece of Thomas F. McKinney, an old Santa Fe trader who came to Texas in 1834 and contributed much to the success of the Texas Revolution of 1835-36, and who was instrumental in selecting the site for Austin, the capital of the Republic, in 1839.

Major Rose first located in Travis county, and there engaged in raising stock, principally horses. In 1860 he moved to San Saba county, where he established a fine irrigable farm, and during the war between the States furnished corn and other much needed supplies to needy families of Confederate soldiers in the field. As Lieutenant, and afterwards as Major, of frontier forces he performed valuable service in protecting the settlements from Indian raids. After the war, the Federal government taking no adequate steps for the defense of that section, the Indians became more destructive to life and property, which checked the settling of the country. This made it necessary, in order to promote the best interests of his family, in an educational and social sense, as well as to insure their safety, to sell his property in San Saba county and move to the interior, which he did in 1868, settling in Bell county, where for a short time he resided near Belton, and then moved, for school advantages, to Salado, where he still lives.

Major Rose joined the Missionary Baptist Church in San Saba county in 1861, and is a deacon of the Baptist Church at Salado. He has been Treasurer of the latter church for over twenty years, and is Superintendent of its Sunday school.

He became a member of San Saba Lodge, A. F. and A. M., in October, 1861; in 1862 was made S. W., and in 1863 Master of San Saba Lodge, and filled that position until he moved from San Saba county in 1868;

affiliated with Belton Lodge No. 166, and was elected Master in 1868, all of which was approved by the M. W. G. Lodge; in 1863 received the Royal Arch and Appendant Degrees in Horeb Chapter No. 57; in 1864 the Council Degrees at Austin, and in 1872 the Knight Templar Degrees in Colorado Commandery No. 4; served as Master of Salado Lodge No. 296, and as Secretary for four years; was a charter member of San Saba Chapter and served as its High Priest; also served as High Priest of Belton Chapter No. 76, and was a charter member of Salado Chapter, its first High Priest, and held the position consecutively for twenty-one years; was elected in 1882 R. W. Grand Junior Warden of the Masonic Grand Lodge of Texas, and was advanced step by step until chosen M. W. Grand Master of the Grand Lodge. He was Master of Salado Grange for six years, from December, 1873; was lecturer of the State Grange in 1875; was Overseer in 1877, and for eleven years, from and including 1881, was Master of the State Grange.

For more than twenty years a member of school and college boards (Salado College, Salado Public Schools, and Baylor Female College), and, having rendered signal services in that capacity, he was appointed by Governor Ross, in 1887, a member of the Board of Directors of the Agricultural and Mechanical College, and in 1889 was elected President of the Board, a position that he held for a number of years to and during his term of office as Commissioner of Insurance, Statistics and History.

He was appointed Commissioner of the State Department of Agriculture, Insurance, Statistics and History by Governor C. A. Culberson, with the advice and consent of the Senate, January 16, 1895, and February 1, 1897, was re-appointed by Governor Culberson and confirmed by the Senate for a further term of two years. In July after his second appointment he was seriously injured in a runaway accident near Salado and tendered his resignation, to take effect August 1, 1897, which was at first declined and later, at his urgent request, accepted by the Governor, who wrote him a letter of the most complimentary character, testifying to the zeal and ability he had displayed in the discharge of the important duties of the office.

He has eight children: Alice E., wife of T. R. Russell, of Bell county; Mary H., wife of A. J. Mackey, of Lampasas county; W. S., a farmer, residing at Salado; Beatrice, wife of Levi Anderson, of Bell county; Sallie A., wife of George W. Perry, of Lawton county, Oklahoma Territory; Callie M., wife of Rev. C. F. Maddox, of Caddo, Indian Territory; A. J., Jr., merchant at Killeen, Bell county; and Miss L. R. Rose.

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### CHARLES WESLEY ROWE, ROUND ROCK.

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Charles Wesley Rowe, Round Rock, Cashier of the Round Rock Bank and a leading property owner, business man and citizen of that community, who has for years been identified with every enterprise and movement that promised good to the town or Williamson county, was born August 7, 1850, near Manor, Travis county, Texas, where he was reared and educated.

His parents were Thomas E. and Mrs. Catherine C. Rowe, the former a native of North Carolina and the latter of Alabama. His father died in 1890, aged sixty-nine, and his mother in 1880, aged seventy years, in





**HON. GEO. W. SAVAGE**



Travis county, where they had lived from 1845 until the time of their decease. Of their four children, the subject of this notice is the only one now living.

Charles W. Rowe remained with his father on the farm until about twenty-one years of age, and then engaged in farming and stock-raising on his own account, with good success. In 1890 he, together with his brother, Thomas F. (now deceased) and C. C. Bradford, established the Round Rock Bank, of which he was elected Cashier, a position that he has since retained by continuous re-elections.

He was married in 1878 to Miss Mary C. Evans, daughter of William T. and Mrs. Mary S. Evans, of Williamson county. Mr. and Mrs. Evans were the parents of nine children, the following six of whom are still living: Annie, wife of Joseph McCutcheon; Mrs. Mary C. Rowe; Gertrude, wife of R. W. Smith, merchant at Ennis; Cornelia, wife of W. E. Chapman, merchant at Hutto; Lizzie, wife of J. A. Hudson, druggist at Round Rock; and T. W. Evans, farmer near Hutto.

Mr. and Mrs. Rowe have six children: Charles Elmer, graduate of the State University of Colorado as civil engineer; Beulah, Mary Gertrude, Oran Roberts, Thomas E., and William E.

Mr. Rowe owns a very comfortable home in Round Rock, other town realty, and twenty-five hundred acres of valuable farming land, of which about twelve hundred acres are in a high state of cultivation. He also owns a considerable amount of bank stock. He is a conservative and at the same time progressive business man, and ranks among the first members of the business community. Socially, he is affable and genial and very popular.

Round Rock is constantly growing and, the natural commercial center of a rich surrounding country, and has a bright future before it, of which Mr. Rowe and other leading men are planning and laboring to hasten the realization. That their efforts will be crowned with success there is little doubt, for the reason that Texas is destined to receive a large share of immigration during the next few years, and millions of dollars of foreign capital, and those towns that are blessed with able and wide-awake business men to look after and push their interests will be the principal beneficiaries.

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### HON. GEORGE W. SAVAGE, BELCHERVILLE.

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State Senator George W. Savage, who has attained marked prominence as a law-maker and as a champion of Democratic principles, was born in Linn county, Oregon, January 6, 1860, and came to Texas in 1871 with his parents. His father, Rev. James W. Savage, a native of Missouri, who moved to Texas in 1840, lived in Grayson county until 1848 and then went to Oregon and later to California. On returning to Texas in 1871, Rev. James W. Savage lived for a while in Cooke county and then settled in Montague county, where he has since resided. He is a minister of the Christian Church, and farmer.

Rev. Hiram Savage, a Primitive Baptist preacher, grandfather of Senator Savage, resided many years in Grayson county, dying there about thirty years since.

Senator Savage's mother, Mrs. Charity (Vernon) Savage, died in

Montague county in 1886. Her father, George W. Vernon, a farmer, died in Oregon in 1868.

Senator Savage received a good education, and for sixteen years taught school in Montague county, engaging, at the same time, in farming. He now owns two farms there, one a grain and the other a fruit farm.

From early manhood he has manifested an active interest in public affairs, and signalized his faith in the political principles that constitute the tenets of Democratic doctrine by advocating them at all times and defending them with zeal and ability in every campaign fought in recent years in the section in which he resides.

In response to the wishes of friends, he offered for the Democratic nomination for Representative in the Twenty-fifth Legislature, and received it, defeating a rival candidate for that honor by 1,500 majority. At the ensuing general election he defeated a Populist opponent by 1,200 majority. As a member of the House, he more than met the expectations of his constituents. He was re-nominated for the House of the Twenty-sixth Legislature by a plurality of 350 in the primaries over two other aspirants, and elected thereafter at the polls, defeating a Populist by about 2,000 majority.

He was nominated at the primaries in 1899 for State Senator from the Thirty-first District (composed of Montague, Denton and Wise counties), securing the honor over two opponents, and was elected over a Republican and a Populist opponent by a majority of about 8,000 votes.

In the Senate he was a member of the Finance and other important standing committees, and several free conference committees. A bill, introduced by him, appropriating \$20,000 per year for the maintenance of the North Texas Normal College at Denton, became a law, and nearly all other important enactments received the impress of his good judgment and patriotic purpose.

He is one of the two Senators appointed by Lieutenant-Governor Browning members of the joint legislative committee empowered to investigate and report upon the operations of the various State departments and institutions. No better selection could have been made, as he is a man of talent, of unflinching moral courage and, withal, free from the taint of demagoguery, and a good Democrat.

He has a devoted family. His wife in her love for him, and with her fine natural and acquired endowments, has aided him greatly in grappling with the great questions of public life. He is deeply attached to home life.

More than all else, he is a modest and sincere Christian, who believes that no question should be considered settled until it is settled right.

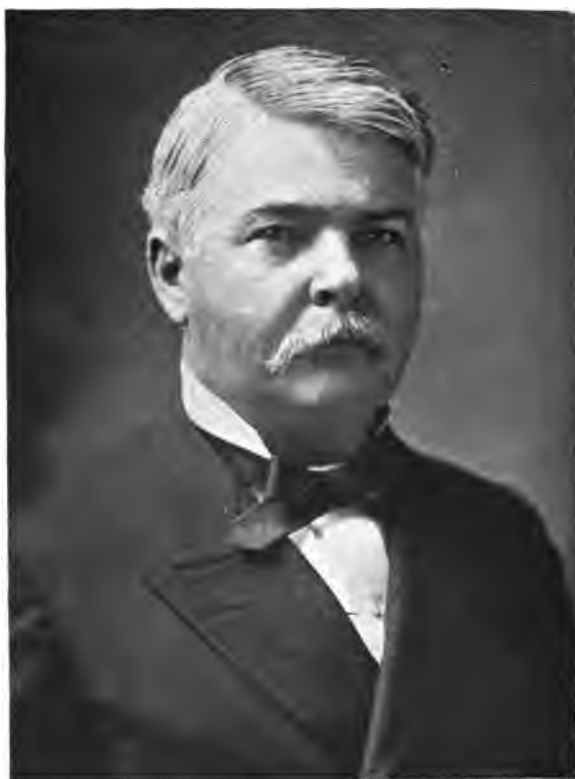
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### ST. EDWARD'S COLLEGE, AUSTIN.

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John T. Boland, C. S. C., President. One of the most successful denominational institutions of learning in the Southwest, and one of high standing in college circles as well. Situated upon a commanding elevation, about three miles south of the capitol. Founded in 1881 by members of the Congregation of the Holy Cross from the celebrated Roman Catholic University of Notre Dame, Indiana. A charter was obtained in 1885. The erection of the present main building was begun in 1888.





**GOVERNOR JOSEPH D. SAYERS**

## ST. LOUIS VISITORS.

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During the first two weeks in May, 1901, one hundred of the leading business men of St. Louis made a tour of 2,746 miles through Texas on a special train and were everywhere entertained with a hospitality for which Texas has become famous. After a banquet and ball at Paris, May 15th, they left Texas for their homes in St. Louis. Under that date the *Dallas Morning News* correspondent wired his paper from Paris:

"The visitors are all enthusiastic in their praise of their reception in Texas and of Texas people and resources. Edward S. Lewis, President of the Merchant's Association of St. Louis, said: 'Seventy-five per cent. of the members of this delegation were never in Texas before. Ninety per cent. of the delegation represent the heads of firms or corporations. They are all business men in every sense of the word. \* \* \* In getting up this excursion they all said to me that there was nothing else in the world that would take them away from their business for eleven days excepting a trip to Texas to see the country and get better acquainted with Texas people. What we have seen of the country has impressed us with the fact that we have visited the greatest State in the Union, so far as magnificent resources go, and that we have visited the State that is destined to wrest from all claimants the title of "Empire State" of the Union. Your development is just now in its incipency. Texans, themselves, are going to be surprised at the wonderful advancement the next few years will bring to her, industrially and commercially.'"

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## ST. MARY'S ACADEMY, AUSTIN.

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Founded in 1874. Chartered in 1886. The Academy is under the direction of the Sisters of the Holy Cross, a Catholic order of teachers who make the education of young ladies their principal lifework, and whose Mother House at Notre Dame, Indiana, has for more than forty years been famous as an educational institution.

"The Academy buildings and grounds occupy one of the finest and most elevated sites in the city of Austin, near the State capitol, commanding an extensive view of the city and surrounding country, including the beautiful valley of the Colorado.

"The grounds \* \* \* occupy an entire block. In the survey of the city in 1839, this block, owing to its central and prominent position, was reserved for the mansion of the President of the Republic of Texas. The main building is a handsome and massive structure of white limestone 130x60 feet."

Enrollment of students for the academic year 1900-1901, 208.

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## JOSEPH D. SAYERS, GOVERNOR OF TEXAS. 1899-1903.

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Texas, in no crisis of her history, has ever lacked for courageous soldiers and able statesmen. This was especially true during the war between the States. Among the volunteer soldiers of that period who did good services from the beginning until the end of that war, and

that, too, for two years upon crutches, was the subject of this sketch, then a young man, now a tried statesman filling the gubernatorial chair of Texas.

Joseph Draper Sayers was born at Grenada, Mississippi, on the 23rd day of September, 1841. His parents were Dr. David Sayers and Mrs. Mary T. Sayers. There were but two children born of this marriage, Joseph D. and William B., his younger brother.

In 1851, Dr. Sayers brought his family to Texas, and settled in Bastrop, where, by his professional skill, he supported the family in comfortable circumstances, and gave his sons such educational advantages as the country then afforded. The boys, however, aspiring to something more than a common school training, had the good fortune to close their educational career at Allen's Military Institute in Bastrop.

On the first clash of arms in our Civil War they both, exchanging books for muskets, enlisted; W. B. in the Terry Rangers, and Joseph D. in Tom Green's regiment at San Antonio, where General Sibley was collecting a force for the invasion of New Mexico. This brigade, consisting of three regiments and a battery of artillery—in all arms about three thousand men—set out from San Antonio early in the winter. Meanwhile, owing to his fitness for the position, Joseph had been appointed Adjutant of his regiment, with the rank of Lieutenant. A great honor, indeed, for one so young to ride in his official capacity with Col. Green at the head of as gallant a regiment as ever drew battle blade for Texas.

On account of the desert character of the country the line of march was begun by detachments and so continued as far as Fort Thorn, where was effected a junction of all the forces preparatory to entering New Mexico.

On February 20, 1862, the enemy was first sighted at Fort Craig, a distance of more than eight hundred miles from San Antonio. In order to intercept the advance of the Texans into the interior of the territory, the Federals, in superior numbers moved out of the fort the next day, crossed over to the east side of the Rio Grande and engaged the Texans in the valley, thus bringing on the engagement at Valverde.

The battle was fought with varying fortunes until 3 p. m., when McRea's battery of six fine guns was brought across the river by the enemy, and unlimbered for action. The crisis had now come. Col. Green, who had succeeded to the command on account of Gen. Sibley's illness, ordered the Confederate forces to charge. This command was instantly obeyed in gallant style; Maj. Lockridge, with Lieut. Sayers by his side, leading the van. Amidst a storm of shell, canister and grape, these brave men rapidly advanced and grappled with the enemy in a death struggle for the possession of the guns. The enemy, after a hand to hand fight of brief duration, gave away, and their own guns were turned upon them with great effect as they plunged panic stricken into the Rio Grande. The victory was complete; and nothing but the walls of Fort Craig saved the Federal army from destruction or capture. The young Adjutant fairly won his spurs in his first encounter with the enemy. As a testimonial of his gallantry on this occasion, Col. Tom Green, the commanding officer on the field, in his official report said:

Lieutenant Joseph D. Sayers, Adjutant of the Fifth, during the whole day reminded me of a hero in the days of chivalry. He is a gallant, dashing and daring soldier, and is as cool in a storm of grape shell, canister, and musketry

as a veteran. I recommend him, through the General, to the President for promotion.

Coming from such a source, this recommendation had weight; and promotion followed in due course.

Chief among the trophies of the victory were the six splendid pieces of cannon constituting the McRea battery, better known in Confederate annals as the Valverde battery, so called from the place where captured.

Notwithstanding Col. Scurry's victory at Glorietta, March 28, 1862, the prospects were gloomy for Sibley at Santa Fe. The Confederate government, staggered by the disaster at Donelson which caused the abandonment of Kentucky and Middle Tennessee, was too hard pressed to spare a single regiment to save New Mexico from a like fate. Evacuating Santa Fe on April 12th, the Texans began their memorable retreat.

At Peralto, a few days later, they were confronted by a largely superior force of the enemy under Gen. Canby. This officer, believing that the Texans were demoralized, had boasted that not a single one should escape death or capture; but their indomitable front at Peralto changed Canby's mind, and, neglecting to press a general engagement, he contended himself with passing the day in demonstrations and harmless artillery firing.

The night after the Peralto skirmish, the Texans crossed to the west bank of the Rio Grande, and appeared the next day in leisurely retreat down the river. Canby vigorously pursued down the opposite bank, the respective armies camping within view of each other. On this line of retreat a general engagement might have been precipitated at any time, a risk to be avoided, if possible, by Sibley in his crippled condition, as nothing less than decisive victory could save his army. A change of route became necessary. Sibley's plan was to find a way to elude Canby on the one hand, and on the other to avoid Fort Craig; so, after crossing the Puerco river in the night, he cut loose from the Rio Grande valley, turning abruptly to the rough hill country in the west. On making this departure, however, the wagon train was abandoned. The Texans, taking their artillery and seven days' rations, struck out on their new line of retreat under the guidance of Major Bethel Coopwood. In the passage of the artillery over the roughest places, men would frequently have to take the places of the mules. Lieutenant Sayers, having a special care for the Valverde battery, always lent a cheerful hand when needed. The fortitude of the Texans in crossing this trackless and mountainous waste, no less than their bravery in battle, well illustrated their incomparable soldiership; and few officers contributed more to inspire the weary men with renewed energy than did Lieutenant Sayers by his intrepid bearing and readiness to share every toil and danger.

By the unerring skill of the guide, Fort Craig was safely skirted, and there was accomplished the terrible march of near one hundred miles through canyons and gulches and over mountains where wheels had never passed before. So exact had been the calculation of the march, that on the day after the consumption of all the rations, the long blue line of the Rio Grande appeared in the far-off southeastern horizon, and that meant that the danger had passed. The Rio Grande crossed, the army was safe, and the wearied troops indulged in much-needed rest. \* \* \* At Doña Ana, New Mexico, the following order was issued by the General commanding, promoting Adjutant Sayers to a captaincy:

## SPECIAL ORDERS.

HEADQUARTERS ARMY OF NEW MEXICO,

No. ....

DONA ANA, April 30, 1862.

1. First Lieut. and Adjt. Joseph D. Sayers, of the Fifth Regiment, Texas Mounted Volunteers, in consideration of his distinguished gallantry at the battle of Valverde, is charged with the organization of the Valverde Battery, with the provisional rank of Captain. It is hoped that the commanders of regiments and corps will extend to Captain Sayers all the aid in their power both in the selection of officers and men for the perfection and future efficiency of this noble trophy of the prowess of this army in the late encounter with the enemy.

2. The Quartermaster's department is authorized to purchase suitable horses for mounting this battery.

By order of Brig. Gen. H. H. Sibley:

JOS. ED. DWYER,

Lieut., Aide-de-Camp, and Acting Asst. Adjutant-General.

This act of simple justice was applauded by the whole army. A few weeks later Capt. Sayers returned to San Antonio, a true and tried soldier with an honorable record, in place of the raw youth, who, eight months before, entered the city to join Green's regiment as a private. Though still in his minority, Capt. Sayers had the honor of bringing back under his own command, the chief trophy of the campaign, the Valverde battery.

En route to Marshall for winter quarters, Capt. Sayers halted long enough at New Braunfels to have his gun carriages repaired.

Recognizing the importance of the Valverde battery in this emergency, Gen. Magruder thus wrote Lieutenant-General Holmes, commanding the Trans-Mississippi Department, Houston, December 12, 1862:

SIR: Having been informed that Brig. Gen. Sibley's brigade has been ordered back to this district, and being in great need of light artillery, I have ordered the Valverde battery, Captain Sayers, to remain in camp at Marshall, Texas, until orders shall be received from the Lieut. Gen'l commanding in regard to it. I have to request that, if possible, this battery be left in this district subject to my orders, and such do I consider the importance of the request, that I send a special messenger to bring the orders of the Lt. Gen'l commanding in relation to it.

Four days later, from the same place, Magruder again wrote the Lieutenant-General thus:

SIR: It is reported that the enemy are off Sabine Pass in force, attempting to land. The occupation of Galveston by the enemy may be expected at any moment: I have ordered the Valverde battery, Captain Sayers, to report to me at Houston, as it is absolutely necessary to have more artillery at hand.  
\* \* \* I have ordered the whole of Sibley's command to the coast.

Accordingly, though the bulk of Sibley's command never reached the coast, Magruder, in the recapture of Galveston, had the assistance of Colonels Green and Scurry, and other distinguished officers, with several hundred men. On Christmas day of 1862, Gen. Sibley thus writes Lieutenant-General Holmes from Opelousas:

In short, this country is absolutely destitute, I fear, both of men and material. I had the honor on another occasion to represent to you the importance of keeping the Valverde battery with the troops so closely identified with it. I beg leave to report and urge this upon you, and I would respectfully request that the battery under Captain Sayers be ordered to Iberia at once. \* \* \*

In March, 1863, Capt. Sayers reported with his battery for duty to Col. Green on the Teche.



## CAPTURE OF THE "DIANA."

"The U. S. gunboat 'Diana,' ascending the Teche in our lines on the 28th of March, was fiercely attacked by the Texans," says Gen. Taylor in his "Destruction and Reconstruction." "The enemy's skirmishers were driven off; the Valverde battery was rapidly advanced; the fire of the gunboat was silenced in a moment, and she surrendered, with two companies of infantry on board. She was armed with a thirty-pounder Parrott, and two field guns, and had her boilers protected by railway iron. Moved up to Bisland, her Parrotts became a valuable adjunct to our line of defense."

This valuable service so opportunely rendered in the capture of the "Diana" was highly appreciated, and it served as a pleasant introduction of the Valverde battery to the gallant army of Louisiana.

On the 11th of April the enemy at Berwick's Bay began to move out in force against the Confederates on the Teche. Green's pickets were driven in, and our little army was gradually pushed back by weight of numbers. On Monday, the 13th, the enemy, 14,000 strong, brought on a general engagement with Gen. Taylor, who had less than 5,000, all told. Taylor's report said:

The enemy made two attempts by charging with their infantry to carry our right, but were repulsed with considerable loss by the forces under Col. Green and Col. Gray. During these charges the Valverde battery rendered efficient service, and I regret to report that its gallant commander (Captain Sayers), who handled his battery with consummate skill, was wounded during these charges.

The same report further says:

Capt. Sayers and the officers and men of the Valverde battery behaved with great gallantry. Capt. Sayers was wounded in the ankle in the action of Monday, the 13th.

Sayers was promoted for gallantry in this battle to be Assistant Adjutant General, with the rank of Major, on Gen. Tom Green's staff. Major Sayers, though on crutches, remained in active service, and was again wounded in the battle of Mansfield, La. So soon as he was able to ride he reported to Gen. Richard Taylor for service, and was assigned to duty on his staff, Gen. Green having been killed at Blair's Landing. Gen. Taylor being ordered east of the Mississippi river, Major Sayers, though still on crutches, went with him and served with him until the surrender in May, 1865.

Returning to Bastrop, Major Sayers had to start life anew. By the proceeds of a term of school teaching he was enabled to read law in the office of Col. George W. Jones. A law license obtained, he entered into a partnership with Col. Jones. This was mutually profitable, and continued for many years.

After five years close attention to business, with fair results, Major Sayers was elected State Senator from his district, and took his seat in the Thirteenth Legislature, which met in January, 1873. E. J. Davis was then Governor, but the Democrats were strong enough to elect E. B. Pickett President Pro Tem. of the Senate, and M. D. K. Taylor Speaker of the House. Senator Sayers had among his associates such men as Geo. P. Finlay, John L. Henry, E. L. Dohoney, N. G. Shelley, A. G. Ball and others of like character and ability, all working harmoniously together to redeem Texas from radical oppression.

Senator Sayers received ready recognition for his abilities, as he was made chairman of the Committees on Public Lands and Federal Relations, besides being a member of the Committee on Appropriations.

As to lawmaking, the world's best work for the last century has been in the way of repeal; so the repeal or modification of bad laws was really the best work of the Thirteenth Legislature, and that was effected by the Democrats. The almost unlimited power of appointment was taken from Governor Davis; the State police were abolished; and the free school act and the act to organize the militia were essentially modified.

Major Sayers declined to stand for re-election; and his brother, Capt. Wm. B. Sayers, was re-elected as a Representative to the Fourteenth Legislature, which ousted Davis and seated Coke as Governor.

As chairman of the Democratic Executive State Committee in 1875, Major Sayers called the State convention at Galveston in 1876, which renominated Coke and Hubbard, and also the notable convention, two years later, at Austin, which, after a long struggle, nominated O. M. Roberts for Governor, and himself, by acclamation, for Lieutenant-Governor. The whole Democratic ticket was elected.

The administration did not have smooth sailing, as some of the acts of the Governor caused considerable dissatisfaction and excitement. Chief among these was the veto of the appropriation bill which provided for the support of the public free schools and the payment of interest on the State debt and for the sinking fund.

The Legislature having adjourned without taking further action on the subject, an extra session of the Legislature became necessary. This body made provision for the payment of interest on the public debt, but the school appropriation was reduced from one-fourth of the general revenue as allowed by the Constitution, to one-sixth of the same.

Later on, the executive policy of placing the public lands on the market in large bodies was also vigorously attacked. Lieutenant-Governor Sayers differed with Governor Roberts radically as to his policies touching the free schools and the public lands. As the opposition crystallized into a formidable party demanding a change of policy in regard to these subjects, Lieutenant-Governor Sayers became their logical candidate for the next Democratic nomination for Governor. The State convention, however, met at Dallas in August, 1880, with a very large majority for Roberts.

The Committee on Platform and Resolutions failing to agree, made two reports; the minority report, written by the Lieutenant-Governor himself, was signed by Chas. Stewart, Silas Hare, A. Hardwicke, W. R. Wattel, J. B. Ford, T. T. Field and R. D. Harrel. Its distinctive features as to the points of difference between the candidates were these:

That regarding the maintenance and perfection of an efficient system of public free schools as essential to good government, the Democratic party, true to its traditions and policies from 1836 to the present time, does solemnly declare that the free education of the children of this State, without regard to class or condition, in the ordinary branches of an elementary education, is a subject of paramount importance in State legislation, and to that end will earnestly favor the appropriation of the maximum amount of such revenue as is permitted by the Constitution.

That the sale of our public and common free school lands shall be confined to actual settlers, and be in such quantities and upon such terms as shall put them in reach of persons of limited means, and to that end such methods as will lead to the speedy sale of such lands in the manner above indicated, should be immediately adopted.

The majority report ignored the land question entirely, and as to the free schools, declared in favor of "the largest appropriations therefor within the constitutional limits justified by the financial condition of the State." This made the free school appropriation entirely dependent upon the supposed financial necessities of the State.

After Governor Roberts's nomination he was introduced to the convention by Major Sayers, and, in a few appropriate words, expressed his thanks for the honor conferred.

On being loudly called for, Lieutenant-Governor Sayers said:

When the preference of the Democratic party is declared, every good Democrat will bow to the will expressed \* \* \*.

Closing, he moved that the nomination of Governor Roberts be made unanimous.

Major Sayers' defeat was only apparent; while losing the nomination, he strengthened himself immensely with the Democracy by his hearty acquiescence in the expression of the party and later saved the principle for which he contended as to the free school appropriations.

In the very next convention the party recommended a constitutional amendment separating the school fund from the general revenue. It was adopted, and is still the law of the land; so now the school fund can never be diverted from school purposes on any pretext whatever.

The land law was repealed during the next administration. It was not until, however, the public domain had been largely bought up by capitalists.

#### NATIONAL POLITICS. FORT WORTH CONVENTION, 1884.

Retiring from public life in the winter of 1880-1881, Major Sayers gave his attention more exclusively to the congenial duties of his profession, and to enjoying the pleasure and comforts of home life.

His next appearance in politics was as a delegate to the Fort Worth convention in June, 1884, to select delegates to the National Democratic Convention to nominate a presidential ticket.

Recommended for Permanent Chairman by the committee, of which Hon. Bryan Callaghan was chairman, the report was unanimously adopted and Major Sayers was escorted to the platform by Messrs. Elgin of McLennan, Bonner of Smith, and Gooch of Anderson. After the applause had subsided, he delivered a brief address of thanks, saying, among other things:

The party is now entering upon a new era; for twenty-five years it has gone before the country with its platforms and candidates, and with but one exception, it has sustained defeat. It is now appealing to the American people upon an issue that will win—that of tariff reform—a tariff laid and collected for revenue only. There should be no evasion of this issue; let us as Democrats speak out so plainly that there may be no mistake as to our position, and I firmly believe victory will come to us as of yore.

At the conclusion of the labors of the convention, which were harmonious throughout, Chairman Sayers congratulated the body on the tariff reform plank of their platform, and predicted that if Congress would reduce the tariff to a revenue basis "we may expect such prosperity as has not existed for twenty-five years."

## NEW BRAUNFELS CONVENTION.

In August following, the Democrats of the Tenth District held a convention at New Braunfels to nominate a candidate for Congress. Judge John Hancock had declined further congressional honors, and it was a matter of some importance to put forth a candidate of tried patriotism and ability. Major Sayers seemed by the common consent of the district to be the popular choice. The chairman of the convention, Major Joseph Dwyer, took the floor and nominated Major Sayers; instantly the nomination was seconded and carried by acclamation. A proud honor, indeed, from the Democracy of such a district, then composed of the counties of Travis, Hays, Comal, Bastrop, Bexar, Medina, Bandera, Kinney, Kerr, Kendall, Kimble, Gillespie, Burnet, Llano, Mason, Menard, Lampasas, McCulloch, Concho, Coleman, Runnels, Williamson, Edwards, Uvalde and San Saba.

In his speech accepting the nomination, Major Sayers, after returning thanks for the honor conferred, expressed himself as opposed to the Republican practice of donating the public lands to railways and corporations; he also favored a reduction and reform of the tariff. These remarks are chiefly important as affording the keynote to Major Sayers' subsequent career in Congress on tariff reform, and the disposition of the public lands. After an active canvass he was elected over his Republican competitor by more than nine thousand majority. In the next race, that of 1886, he defeated J. P. Newcomb by over nineteen thousand votes. Major Sayers was chosen Congressman of his district without any opposition whatever in his party for seven consecutive terms; that is, from 1884 to 1896, both inclusive. So for the fourteen years ending with 1898, his field of labor was that of national politics. He began his career on this wider theater of usefulness by taking his seat in the Forty-ninth Congress, which convened in December, 1885, the first year of President Cleveland's first term and continued to hold his position during the administrations of Cleveland, of Harrison, of Cleveland again, and one-half of McKinley's—his nominations always being by acclamation.

During all this eventful period, Major Sayers never failed to advocate the reduction of the tariff to a revenue basis, and the free and unlimited coinage of silver, and he showed his far-seeing statesmanship by advocating an isthmian canal at a time when many leading Democrats were in doubt as to its policy. All can see the value of a canal now. In fact, our foreign policy now has made it a necessity for our national security.

Major Sayers' principal effort in Congress was in the line of finance. His sterling honesty and Jeffersonian ideas of economy caused his appointment as a member of the Committee on Appropriations in the Fiftieth Congress. His superior fitness for this kind of work led to his promotion to the chairmanship of this important committee. All the expenditures of the government had to pass before his scrutinizing gaze, and how well he did his work is shown by the records of Congress. While looking after the interests of the nation, Major Sayers did not forget Texas, as the records of Congress abundantly show.

Not the least among his services as a Congressman were his efforts towards securing, while Ross was Governor, the long-delayed claim of

Texas for expenditures in defending her Indian frontier, amounting to more than one million dollars, and in the development of Galveston harbor.

"Who shall be our next Governor?" was the engrossing subject of inquiry in the winter of 1897-1898, and when Major Sayers' name was mentioned in connection with the office, it was received with hearty applause in many sections of the State. Under the circumstances, Major Sayers' candidacy for the gubernatorial nomination, whether in accordance with his own wishes or not, became a matter of necessity, and it was accordingly announced.

He was not without able and patriotic competitors for the nomination. The canvass opened with divers assaults upon Major Sayers' record on grave public questions; but, resisting the importunities of friends to come home and look after his candidacy, he refused to leave his seat in Congress, claiming that he could not abandon the public interests for possible personal advantage.

Friends in Congress, like the glorious old patriot, "Silver" Dick Bland, since deceased, went out of their way, unsolicited, to vindicate Major Sayers from any charge of unfaithfulness to the principle of the free coinage of silver. His fidelity to tariff reform was never questioned in or out of Congress. In State politics the only insinuation was that he had never unequivocally committed himself to the Railroad Commission. On investigation it appeared that as early as 1887, long before the great battle had been fought and won, and while trimming politicians were silent or evasive on the question, Major Sayers had unmistakably declared himself in favor of that great measure. The effect of these disclosures of his true record, which had been unjustly attacked, gave his candidacy such a momentum as to bear down all opposition.

His competitors for the nomination, seeing the hopelessness of further opposition, began to retire, one after another, until the field was left clear. His nomination assured, all excitement ceased, and the Spanish war, then raging, became the exciting topic of conversation.

The duty of the Democratic State Convention which met at Galveston in August was quite simple. It was only in accordance with the clearly expressed voice of the Democracy to formally register the nomination of Major Sayers for Governor, with a full ticket on a platform of approved Democratic principles. Eighteen years had elapsed since Major Sayers had introduced his successful competitor for that nomination to the convention at Dallas. Now he was the gubernatorial nominee of the Democracy without opposition; no more than a fitting reward for fidelity to the party without regard to his own preferment.

Amidst much applause Major Sayers was introduced to the convention by the venerable ex-Governor Lubbock, and after it had ceased, said, among other things:

And in this presence I do again declare I will be controlled only by my official oath, the platform of the party, the pledges made by me to the people in the most open manner, and a just sense of public duty. \* \* \* My purpose, and my sole purpose, will be to promote, so far as I may be able within the compass of my authority, the prosperity of the State and the happiness of the people. \* \* \* I am one of those, Mr. Chairman and gentlemen of the convention, who believes that he who serves his country best serves his party best, and so believing, I accept this nomination as a trust to be executed in the interest, as

well of the people as of the party, for the interests of them both are alike inseparable; and, should the greater trust, the chief magistracy of the State, be also imposed upon me, it will be discharged with all the fidelity, integrity and ability that I possess.

He made few speeches in the canvass, which was rather tame for lack of opposition. The whole ticket was elected, as anticipated, by the old-time majority. The Governor-elect hurried back to Washington. It having transpired that he contemplated retiring from Congress at an early date, on December 20th, Mr. Cannon, of Illinois, the chairman of the Committee on Appropriations, a Republican in politics, in an interval of business took occasion to say:

This conference report, which has just been adopted, is signed by the House Conferees, one of them being the gentleman from Texas (Mr. Sayers). So far as this Congress is concerned, this is the last conference report that he will sign, as we understand that he is soon to resign to enter upon duties elsewhere. I feel that it is but just to myself, and that it is appropriate also, that I should say that the gentleman from Texas (Mr. Sayers), long and well known to both sides of the House, has served upon the committee over which I have the honor to preside for twelve years, a part of which time as its chairman; and I take great pleasure in saying that I have not been acquainted, during a considerable length of service upon the committee and in this House, with any gentleman upon either side of the House who has brought a better equipment to the performance of his duties as a member of the committee and a member of the House than the gentleman from Texas. \* \* \* He has brought to the consideration of all this business (appropriations) that which is absolutely necessary; industry, ability, tact, and last, but not least, integrity. (Prolonged applause.)

Mr. Dockery (Democrat from Missouri) said:

I concur in the just tribute paid by the gentleman from Illinois (Mr. Cannon) to my friend from Texas, Mr. Sayers. For ten years I have served with him upon the Committee on Appropriations, and I know that his fidelity to public duty, his high courage, his rugged integrity, his tireless industry and his absolute impartiality have won for him the confidence of all the members of this body without party distinction. It is impossible to estimate, Mr. Speaker, what his painstaking investigations have saved in money to the United States treasury and to the people; but it has certainly been enormous in its aggregate. He goes from this hall to enter, if not a more exalted station of public life, at least a more distinctive one. Our affections go with him. (Applause.)

Mr. Dockery then called for the reading of the resolutions of the Committee on Appropriations adopted unanimously that morning. The clerk then read as follows:

The Hon. Jos. D. Sayers, our associate, will sever his connection with the Committee on Appropriations after this meeting. A member of the committee during the Fiftieth, Fifty-first, Fifty-second, Fifty-third, Fifty-fourth, and Fifty-fifth Congresses, a period of twelve years beginning in 1887; and its honored chairman during the Fifty-third Congress (1893-1895), his discharge of the exacting duties, including those of chairman, has been distinguished by untiring industry, zeal and conscientious regard for the public welfare; proving a worthy successor of Thaddeus Stevens, James A. Garfield and Sam'l Randall. His courtesy and fairness towards his associates in all the labors of the committee in the formulation and discussion of the great supply bills of the government and in their presentation and conduct in the House of Representatives, have won for him the esteem and confidence of his colleagues here, and of his fellow members in this body of representatives of the American people. In his new field of exalted public duty as chief magistrate of the great commonwealth of Texas, we extend to him this expression, sincere and cordial, though imperfect, of our affection, respect and confidence.

*Resolved*, That this minute be entered upon the records of the committee, and that an engrossed copy thereof, signed by the members, be furnished to Governor-elect Joseph D. Sayers. (Loud applause.)

The Speaker: "Without objection, the resolution will be placed in the Record." (It was accordingly done.)

This was a very high testimonial of worth, indeed; and coming, as it did, from his associates in Congress, without distinction of party, added much to its value. Surely, no member ever retired from Congress under more creditable circumstances. Major Sayers sent to Congress his formal resignation, from Austin, only a few days before the inauguration on January 17, 1899.

The Hall of Representatives was filled to overflowing. Retiring Governor Culberson, escorting Governor-elect Sayers to the front, made these felicitous remarks:

The part assigned to me on this impressive occasion of introducing the Governor-elect of this State is both a pleasure and a compliment. Reared in Texas, he is thoroughly conversant with her traditions and history, and is deeply concerned for her prosperity and glory. In all the walks of life he has been an exemplary citizen; and integrity and honor have ever found lodgment in his heart. In the martial and heroic age of the South, he imperiled his life in her cause, and none wore the gray more nobly. Since that great conflict he has won deserved distinction in the public service, and stands now in the front rank among those men whom Texas has given to national affairs.

After taking the oath of office administered by Associate Justice Brown, Governor Sayers read his inaugural address in manuscript. It was a calm and statesmanlike utterance, from which only this extract will be given:

Having sought and accepted official responsibility, no one should be permitted to regard himself other than a public servant, and office as a public trust to be held and administered not for the special advantage of himself and his kin, but for the benefit of the people, and of the people only. The doctrine that office is property, and endowed with property rights, may be good in law, but it is not healthful to the public service, and has sometimes led to great abuses. Nepotism is not admissible in a properly constituted government. It should be known everywhere that in no other State is life, liberty and property so secure; in no other State are offenses against them so surely, so speedily and so sufficiently punished; and in no other State is such complete justice between all men, and as to all kinds of property, maintained as within the great commonwealth of Texas. \* \* \* The character of our people for peace, good order, intelligence, justice, and morality, already high, will keep pace with their advancement in material prosperity, and in all lands will the fame of our State abide, each year adding lustre to her history.

An empire in extent, resources almost limitless, situation altogether favorable, and an open sea around her southern border, Texas may well aspire to a greatness and grandeur that will have no parallel in the history and experience of her sister States.

Lieutenant-Governor Browning having taken his official oath, the Sayers administration was fairly launched.

The Senate promptly confirmed all appointments made by Governor Sayers.

Through his messages from time to time the Governor gave his views as to the legislation most needed, and his policies thus outlined were liberal and patriotic, especially as to the educational and eleemosynary institutions. General harmony prevailed between the legislative and the executive departments, the only apparent exception being in the case of the vetoed consolidation railroad bills; and even then, the Governor no longer withheld his signature when his constitutional objections were met by amendment. It being apparent to him that but little, if any, railroad construction could be had in the State unless by the various

systems already in operation, he inaugurated and insisted upon the policy of requiring these systems to construct additional mileage whenever seeking legislation. This policy was observed and engrafted upon all measures which were approved by him. More than this, it has been his policy to force these systems to build into each other's territory, and in this he has been altogether successful. The resultant activity in railroad extension since that time seems to have justified the wisdom of these laws.

In accordance with the demands of the Democratic platform for equalizing taxation, the Legislature, before adjournment, created a commission authorized to report a just and equitable system of taxation. Governor Sayers, Comptroller Finley, ex-Senator Colquitt and State Revenue Agent Joe Lee Jameson composed the commission. After several months of hard labor, with a thorough investigation of the various tax systems of the several States, a report was prepared and presented to the Legislature in called session, January 23, 1900, but nothing was accomplished. Believing that the enactment of a liberal tax measure could not be secured within the constitutional limit of thirty days, Governor Sayers declined to convene another extra session.

At the Waco convention, no opposition appearing, Governor Sayers' administration was enthusiastically endorsed. The presentation of his name to the convention followed as a matter of course. This high honor fell upon Congressman Lanham, who said in his happiest way, among other things:

It affords one profound gratification to declare that among all the great and good men who, up to this time, have presided over the destinies of our State, there has been none abler, more loyal to the commonwealth, more conscientious in the discharge of duty, more devoted to the upbuilding of the State and the uplifting of its people, more faithful to the party whose standard he has borne, or more deeply interested in all that concerns our well being and happiness, than one whose name I shall now call: Joseph D. Sayers.

Hon. John W. Parker, in a speech no less felicitous, seconded the nomination. After enumerating Governor Sayers' success in the several lines of official duty, Mr. Parker concluded by saying:

If elected to another term, he will give us a better administration, if that be possible, than the present one. In behalf of the people of Williamson county, who have been his neighbors for a generation or more, who are acquainted with his private life, who testify that it is without stain or blemish, and who know his public service and attest that it has been honest, faithful and capable, I second the nomination of Joseph D. Sayers to be the chief executive of this State.

In his speech of acceptance, Governor Sayers expressed his thanks for the honor conferred, and after a cursory glance at the prosperity of the State, concluded in these words:

With the steady and impartial enforcement of the law, as found in the statute book, with an economical, honest and efficient administration of the public service, coupled with a prudent conservatism in all further legislation, the result cannot be doubtful. The citizen may be safely left to do the rest. The condition of our State is most enviable: its extent and variety of domain; its marvelous resources of every kind: its splendid possibilities, a priceless heritage bequeathed us by the fathers of the Republic.

Upon the political party here represented is the great responsibility to so conduct the affairs that the commonwealth may grow strong and mighty and the people continue prosperous and happy. What shall its answer be to the genera-



tions present and to come? At the bar of history it must finally stand and be held accountable for its stewardship.

Two years ago, before a similar audience, I gave pledge that I would, if elected, serve the people faithfully, honestly and to the best of my ability. In this great presence I renew that pledge, and trust that I may be able, under the guidance of Almighty God, and with the experience I have had, to serve them far more wisely and effectually than ever before. To upbuild the State, to promote the welfare of all who dwell within its borders will be my only ambition, the sole purpose of every effort.

The platform that had been adopted by the convention thus alluded to his administration:

We indorse and commend the administration of Governor Sayers as being wise, patriotic and economical, and we especially approve of the enlargement and the maintenance of the State eleemosynary institutions, putting them in the highest degree of efficiency and enabling them to properly and promptly meet every demand; the successful management of the penal establishments; the reduction of taxation to the lowest rate of any State in the Union save one; the energetic enforcement of the criminal laws, giving protection to life and property without regard to race or condition; the making of needed reforms in the method of purchasing supplies for the State institutions; the inhibition upon counties, cities and towns to issue bonds without authority from a direct vote of the people, and the requirement upon the treasurers of counties, cities and towns to make annual reports of all bonded indebtedness and of the disposition of the sinking fund; the honest effort to equalize taxation; the enactment of a law making rebating and discriminating by railroads a felony, thereby stopping the pernicious practice for the first time in the history of any American commonwealth; the quieting of land titles and providing for the issuance of patents to homestead locations and pre-emptions; the settlement of the deficiency due the permanent school fund, and the large increase in the available fund through the recovery of moneys due for past illegal occupancy of the school lands, and also through the lease of additional lands; the present cash balance in the treasury for general revenue purposes of \$1,215,000, notwithstanding the heavy and much needed appropriations of the Twenty-sixth Legislature for the betterment of the eleemosynary institutions and of the Agricultural and Mechanical College, and for the construction of an epileptic asylum, and for the payment of ex-Confederate pensions; the enactment and enforcement of an anti-trust law, the building of cotton factories, resulting in the incorporation within the present year of ten companies, having a total capital stock of \$950,000 of authorized stock, which means an uplifting of the price of this commodity and the general improvement of the conditions of the agricultural and laboring population; encouragement given to every form of industrial enterprise evidenced by the inauguration of enterprises of every kind; the construction of one hundred and forty-six miles of railroad during the first half of the present year, and the general development of our commercial institutions.

In addition to the many and onerous duties, to which he gave his constant attention during his first term, Governor Sayers was called upon to meet the great responsibility growing out of the overflow of the Brazos river in 1899, and of the storm that devastated Galveston and other portions of the Texas coast in 1900. Declining in both instances to convene the Legislature in extra session, he assumed the responsibility of providing relief and on both occasions he appealed to the people for contributions. They responded generously and quickly, not only in food and clothing, but in money also. How well he discharged his self-imposed duty during those trying months, and how economically, honestly and equitably he distributed everything that came into his hands among the suffering people is well known to all.

At his re-election in November, 1900, Governor Sayers led the Democratic ticket. Thus he entered upon his second term, in January, 1901, with the assured support of the party and of the people as well.

The executive message to the Twenty-seventh Legislature was an able document, broad and statesmanlike in its views. The introduction is so concise in its comprehensiveness that it is here given *verbatim et literatim*:

*To the Senate and House of Representatives:*

It is, indeed, gratifying that you have convened under circumstances so auspicious.

Excepting not more than fifteen of the two hundred and forty-three counties—organized and unorganized—into which the State is divided, prosperity prevails in them all to an extent not exceeded in any year of their history.

Abundant crops, with a remunerative market, have well rewarded the husbandman, and never before has the demand for labor, skilled and unskilled, been so great and universal, or the compensation of wages more satisfactory.

The cattle and sheep industries are prosperous; railway construction has been actively renewed, and manufacturing enterprises of many kinds are being inaugurated.

Money has become more plentiful, and its circulation more general, resulting in a marked decline of the interest rate.

A desirable immigration is being attracted in large numbers through the healthfulness of our climate, the fertility and freshness of our lands, and the many opportunities that here await industry, economy and thrift.

The resources of the State, in all their variety, wealth and abundance, are unknown even to ourselves; but with the continuance of present conditions, though for a few years only, and with a prudent and conservative administration of the public affairs, such development may be safely anticipated as will not disappoint the most sanguine expectation.

With the construction of the Isthmian canal, nothing except inexcusable folly in matters of government will prevent this commonwealth taking, within the next two decades, the foremost place among the States of the American Union.

It will also be gratifying to know that the administration of the State government has, during the past two years, given to the people the best service possible, and it is confidently believed that a thorough and searching inquiry into the several branches of the executive department will show them to have been carefully, economically and efficiently conducted.

A rigid and unsparing examination into the manner in which every official, charged with executive functions, has performed the duties imposed upon him by law is most earnestly insisted upon—to the end that the people may be accurately informed as to how their governmental affairs have been managed.

Information by the executive, as to the operations of the State government, and also as to its existing condition, accompanied by such recommendations as may be deemed advisable, being a constitutional requirement, the following is, therefore, submitted for the consideration of the Legislature:

As proof of the claim that the State's finances were in good condition, the message showed that the cash balance in the treasury at the beginning of this administration had grown from \$638,534.52 to \$961,036.38 to the credit of the general revenue, and that in consequence of the increase of revenue the rate of taxation had been reduced from 20 cents to 16½ cents on the \$100 valuation. "And this notwithstanding appropriations for greatly needed permanent improvements and increased facilities at the several educational and eleemosynary institutions, for Confederate pensions, for the settlement of the indebtedness of the State to the permanent school fund, and for the return to the Federal government of \$45,126.56 which had been improperly paid to the State, all of which aggregated the sum of \$708,806.26."

The message, continuing, noted the workings of all the departments and State institutions, commending where deserved or urging additional legislation to make them more effective.

The Legislature responded in general to the executive recommendations.

The act making August 31st the end of the fiscal year for all the departments, institutions and officials required to make reports, forced an extra session of the Legislature—it having been held that no appropriation could be for a longer period than two years. In this view of the matter the Legislature, after making appropriations for six months, adjourned. The apportionment bills engrossed all the legislative attention of the called session, and a second extra session became necessary for the passage of the appropriation bill for the support of the State government for the ensuing two years.

The bill passed provided for an expenditure of \$5,742,640.62, a large sum, apparently, notwithstanding the Governor's warning to economize. In the appropriations for the construction of new buildings and for the improvement of those already erected, it was provided that no building should be erected and no improvement made, unless with the consent of the Governor, thus throwing upon him the responsibility of every such expenditure. A similar provision will hardly be found in any appropriation bill ever before enacted. But perhaps the sum appropriated was not really too large considering the growth of Texas and the increasing business in all the branches of the government; but Governor Sayers, true to his record for economy in public expenditures while chairman of the Finance Committee in Congress, would naturally lean to the economical side in State appropriations. And who shall say, after all, that it is not the better policy for the chief magistrate of the State?

The most pleasant episode in the official life of Governor Sayers, perhaps, occurred in May, 1901. This was his reception of President McKinley and party while visiting Texas, en route to California. Governor Sayers cheerfully accorded to President McKinley all the official courtesies due the chief magistrate of the nation.

In this the last year of Sayers' administration, it is entirely safe to say that it will always be remembered as the era of prosperity and unprecedented development in Texas on all lines—industrial, moral and educational. And it may be accepted as the truth that conservative legislation and a wise executive policy did much, by inspiring confidence, to promote this well-being, which was so solid as not to be appreciably affected even by the Galveston flood.

In person, Governor Sayers is stout and well proportioned—five feet ten inches in height and weighing one hundred and eighty-five pounds. He brought back with him from the army in 1865 a strong and vigorous constitution, which all of his hard service in Congress has failed to impair. His step is quick and elastic, and were it not for his gray hair, he would readily pass for a man of fifty.

Besides what was said in the House resolutions above quoted as to the mental characteristics of Governor Sayers while a member of Congress, it may not be amiss to add the following: Governor Sayers has an active mind, with a leaning to practical rather than to theoretical statesmanship. Having the courage of his convictions, he has always been ready for emergencies. As to the constantly arising perplexing political problems, Governor Sayers decides promptly upon his course of action and then pursues it without fear or vacillation. His decision of purpose and self-possession are remarkable; and they have never been shaken by the storm of battle or the tumult of public assemblage. Broad

and liberal in his views, he has always managed to make friends out of political enemies, no less in Washington than in Texas.

Personal magnetism is an indispensable quality of leadership, and few men possess it in a greater degree than the Governor. But perhaps the best thing that can be said of Governor Sayers is that strangers who were prejudiced against him, when brought into close personal relation, became his staunchest friends. Governor Sayers is in the very prime of his mental powers, and it cannot be said of him that he has filled the measure of his usefulness to Texas, even after the expiration of his second term in the highest office within the gift of our people; for these opening days of the century are anything but the piping times of peace; it takes no gift of prophecy to tell that the unsettled questions of the hour will hold our ablest statesmen in the public service for an indefinite period.<sup>1</sup>

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### THOMAS SCURRY, ADJUTANT GENERAL.

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Thomas Scurry was born in Waller county, Texas, March 15, 1859. His parents were Richardson and Mrs. Evantha (Foster) Scurry.

Judge Richardson Scurry was born in Gallatin, Tenn.; came to Texas in the spring of 1836; participated in the battle of San Jacinto as sergeant of artillery, helping the in after years famous Confederate Generals Tom Green and Ben McCulloch serve the "Twin Sisters" with good effect; was secretary of the Senate of the First Texas Congress during the session at Columbia (October 3 to October 21, 1836); was elected, by Congress, District Attorney of the First Judicial District December 16, 1836, at which time James Collingsworth was elected the first Chief Justice of the Texas Supreme Court; was later elected District Judge of the Sixth Judicial District and, as such, sat as a member of the Supreme Court during the January term, 1841; was a member of the House of Representatives of the Seventh Texas Congress (in session at Washington on the Brazos from November 14, 1842, to January 16, 1843); was a member and Speaker of the House of Representatives of the Eighth Texas Congress (in session at Washington on the Brazos from December 4, 1843, to February 5, 1844); on the death of David S. Kaufman, Representative of the First Texas District in the United States Congress, January 18, 1851, was elected August 4, 1851, to succeed him in that body, defeating at the polls Oran M. Roberts, who con-

<sup>1</sup>The State Democratic Convention that met at Galveston July 15, 1902, adopted a platform on the 16th that contained the following plank:

"3. Four years ago the Democracy of Texas promised to our people economical government wisely administered. How well this promise has been kept by Governor Sayers and his associates is now a matter of history and the splendid condition of each department and institution throughout Texas bears witness to their patriotism, ability and devotion to duty. Taxes have been reduced, the terms of our public schools have been lengthened, and the work of the several departments has been broadened and the eleemosynary institutions enlarged so that the jails are emptied of the insane and room has been made in the other institutions for the care of all those whom the State has made its charge. We are justly proud that while ours is the banner State and that while our party has been for nearly half a century practically without opposition, yet no form of corruption has been fostered and no stigma cast upon the character and patriotism of any nominee made by our State organization."

tested with him for the honor; was later District Judge; was in 1859 wounded by the accidental discharge of a gun, necessitating the amputation of his leg; never thereafter regained his health and strength; and died in Waller county in 1862.

Mrs. Evantha (Foster) Scurry died in Dallas in 1895.

William R. Scurry, brother of Richardson Scurry, was, first, District Attorney and, later, a member of the Ninth Congress during the Republic of Texas; as a Major in Wood's regiment distinguished himself for gallantry in the battle of Monterey; was a prominent member of the secession convention in 1861; was a Lieutenant Colonel in Sibley's brigade, Confederate States army, in the Arizona expedition in 1862, participating in the battles of Valverde, Peralto and Glorietta; was on returning to Texas appointed to the command of the Eastern Military Sub-district; was appointed Brigadier General in 1863 and assigned to duty under Gen. Dick Taylor in Louisiana; and was killed in the battle of Saline, La., April 30, 1864.

Gen. Thomas Scurry, subject of this notice, grew to manhood in Houston, Texas, receiving a liberal education in private schools; for four years held a position in a wholesale dry goods house in Houston; for four years thereafter held a desk in the general offices of the Houston & Texas Central Railroad Co.; was for three years connected with a compress company in Houston; was bookkeeper in the hardware establishment of L. T. Noyes, Houston, for one year; then, in 1886, embarked in the real estate and mortgage business in Dallas on his own account; was Captain of the Houston Light Guard from 1880 to 1886, during which time the company was awarded nearly \$20,000 in prizes at State and interstate competitive drills; was appointed Major of the First Texas United States Volunteer Infantry by Governor Culberson for service in the war against Spain, and on the return of his regiment from Havana, Cuba, and prior to its being mustered out was tendered and accepted appointment to the office of Adjutant General of Texas, and entered upon the discharge of the duties of the position January 18, 1899.

The bill reorganizing the Texas ranger force was drafted in his office by Assistant Attorney General Reese and himself, at the request of members of the Senate and House committees to which it was to be referred, and was favorably reported by the committees and enacted into law by the Twenty-seventh Legislature without material alteration.

The ranger force and Volunteer Guard have been brought by him to a high state of efficiency.

The incident of the riot at Rio Grande City, growing out of a conflict between the citizens of that place and negro United States soldiers stationed at Ft. Ringgold; numerous occasions when his presence with troops was required to prevent mob violence; and, above all, his cool, capable and soldierly administration of affairs during the reign of martial law in Galveston following the destructive storm of September 8, 1900, mark him as one of the most tactful and able of the men who have filled the office of Adjutant General in Texas—a scion of a martial and historic stock, who has burnished to pristine brightness its fame and if opportunity offers will add to the brilliancy of its renown.

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Gold, silver, copper and lead mining in Texas will experience wonderful development in the next few years.

## GEORGE SEALY, GALVESTON.

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A telegraphic message from St. Louis, Mo., Saturday, December 14, 1901, brought the following intelligence of the death of this prominent and useful citizen of Texas: "Mr. George Sealy died suddenly this morning in his berth on the north-bound 'Frisco' express shortly after the train passed Rolla, Mo. \* \* \* He left Galveston apparently in good health and did not appear to be suffering in his berth Friday night."

The *Galveston News* said: "Mr. Sealy was a member of a committee of four appointed by the Galveston Commission to represent the city in a conference with a committee of the New York holders of Galveston city bonds, the object being to refund the city debt at a lower rate of interest. The other members of the committee were I. H. Kempner, Wm. R. Waverly and Judge Austin. \* \* \* With Mr. Sealy were his wife and youngest daughter, Miss Rebecca. \* \* \* On the night of the Artillery Ball in Galveston he was in the best of spirits and impressed his old-time associates as growing more jovial as he increased in age. \* \* \* He was President of the Galveston Wharf Co.; one of the heads of the banking house of Hutchings, Sealy & Co.; a director of the Gulf, Colorado & Santa Fe Railway Co., and connected with many of the business enterprises of Galveston. \* \* \* No man has been more closely identified with the growth of Galveston in the past quarter of a century. He was one of the most enterprising and public spirited citizens Galveston has ever had."

The remains were accompanied home from St. Louis by the other members of the committee and the bereaved wife and daughter.

The funeral occurred at Galveston Wednesday afternoon, December 18th. The religious services were held at Trinity Episcopal Church at 3 o'clock, and were conducted by Bishop Kinsolving, assisted by Rev. Beckwith of Trinity Church and Rev. J. H. Carter of Grace Church. The United States Custom House was closed for the day by order of the Secretary of the Treasury, business houses throughout the city were closed during the progress of the funeral, and many of them during the entire afternoon. The members of the Cotton Exchange attended in a body; the local papers contained articles expressing the general sorrow, and every mark of respect and honor that genuine regard could dictate was bestowed.

Governor Joseph D. Sayers was present, having gone from Austin to attend the obsequies. In speaking of Mr. Sealy, he said: "He represented the highest type of American citizenship. He was a man universally beloved by all classes, because his kindly offices were many and disinterested, for which he did not keep account. He will be long and sadly missed by the people, not only of Galveston, but of the entire State."

Mr. Sealy was born in Luzerne county, Pennsylvania, January 9, 1835, and came to Galveston in November, 1857, landing in that city with only \$25 in his pocket. When he died he was one of the wealthiest men in the South. He was mainly instrumental in the building of the Gulf, Colorado & Santa Fe Railway and its subsequent consolidation with the Atchison, Topeka & Santa Fe Railway, thereby supplying Galveston at the turning point in its commercial history with the one facility (rail-

way connection with the interior of Texas and points outside the State) needed to insure prosperity and steady growth.

In every public emergency he was looked to, not only for counsel, but with the expectation that he would put his shoulder to the wheel and, of himself or through his influence, supply whatever motive power was needed to pull through or surmount the difficulties that confronted the community, or that were impending. His private charities were many and unostentatious.

He was married to Miss Magnolia Willis, daughter of Col. P. J. Willis, at Galveston, in 1875, and left eight children.

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## SOUTHWESTERN UNIVERSITY, GEORGETOWN.

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The following facts are from the Southwestern University catalogue for 1900-1901:

Southwestern University is the outgrowth of a movement begun in 1869, under the leadership of Rev. Francis Asbury Mood, D. D. In that year each of the five Texas Annual Conferences of the Methodist Episcopal Church, South, adopted resolutions providing for an educational convention of the several Annual Conferences to be held at Galveston, April 20, 1870, consisting of the delegates-elect, lay and clerical, to the ensuing General Conference.

The convention met at the appointed time and took the necessary preliminary steps for the establishment of Southwestern University. Georgetown was selected as the seat of the institution in 1873, that town having offered buildings and land valued at \$63,000, and in October, 1873, Dr. Mood, who had been elected Regent, opened the first session, with two professors. Thirty-three students were enrolled during the first year.

A special act of the Legislature, approved February 6, 1875, incorporated the University, granted the power to establish a School of Medicine and School of Theology at such places in Texas as the governing authorities of the institution might deem advisable, and provided that "the right to confer degrees, regular and honorary, in the arts and sciences, heretofore conveyed through the Legislature of the State of Texas in the charters of Rutgersville College, Rutgersville; Wesleyan College, San Augustine; Soule University, Chappell Hill; and to McKenzie College, Clarksville, Red River county, are hereby transferred and perpetuated and retained to said Curators [of the Southwestern University]. \* \* \*

"\* \* \* While the charter of the University confers the right to establish a School of Medicine and a School of Theology, the only department thus far established is the Academic, which is organized as follows: I. The College. II. The Ladies' Annex. III. The Fitting School."

Robert Stewart Hyer, A. M., LL. D., is Regent of the University, a position corresponding with that of President in other similar institutions. Other members of the Faculty are seven full professors and a number of assistant professors and instructors. Rev. John R. Allen, A. B., D. D., is chairman of the Faculty.

"The increasing patronage of the last few years," says the Catalogue, "the additions that have been made to the courses of study, and particularly the necessity to provide more rooms for the laboratories and library, made a new building indispensable.

"Rev. W. M. Hayes began the work of soliciting subscriptions for this purpose. Under his successor, Rev. F. B. Sinex, the amount secured soon reached the sum of \$46,600. In June, 1898, the Trustees let the contract for the completion, by January, 1900, of a three-story stone building. This building is now finished. With its completion the University is fully equipped in this respect for the work it was established to do.

"\* \* \* Owing to the abundance and excellent quality of limestone in the vicinity, this building has been erected at a cost of \$51,000. In localities where brick is the cheapest building material, it could scarcely be duplicated for \$70,000.

"\* \* \* The almost entire lack throughout the South of institutions offering to young ladies proper residence, and at the same time advanced courses of study, led the Curators and Trustees of Southwestern University to inaugurate a movement that has resulted in what is now known as the Ladies' Annex, a home for young ladies, and the same courses of study offered to young men. It was originally intended that throughout the entire course of study they should receive instruction from the same Faculty, but in classes separate from those of the College. The necessity for laboratory work early led to an exception being made in the sciences. With the growth of both departments it became necessary that like exceptions should be made in the advanced work of other courses. The present method is that of separate classes only in the work of the Fitting School.

"\* \* \* Every advantage connected with a young ladies' boarding school or female college is offered, and, in addition, courses of study much in advance of those of a majority of such institutions."

The degrees for which students may become candidates are: Bachelor of Arts, Bachelor of Philosophy, Bachelor of Science, Master of Arts and Master of Science. Diplomas are given in Music, Art and Elocution to those who complete in a satisfactory manner the courses of study in those departments.

The following is a summary of the students enrolled 1900-1901: The College, 143; The Annex, 75; Special, 89; The Fitting School, 176. Total, 483.

"\* \* \* Southwestern University is not a sectarian propaganda, but it is a Christian college; founded, as were most of the oldest and best colleges of the East, by a band of Christian ministers. Its chief aim is to keep true to the spirit of these founders. No pains are spared to meet the religious as well as intellectual wants of the students. Attendance upon the usual morning service of the Sabbath is required of all. The Sunday school is well attended by the students. In all departments the daily exercises are opened with religious services. Family prayers are held at the Ladies' Annex and Giddings's Hall. An Epworth League and Y. M. C. A. are conducted by the young men. The Annex has a Prayer Meeting, conducted by the young ladies every Saturday afternoon, and an Epworth League, co-ordinate with that of the local church, affording profitable exercise for the young ladies in practical church work. The effort is to render family prayers and chapel exercises profitable and spiritual, and not to degenerate into formal or perfunctory serv-



ices. The religious influences of the University are seen in the subsequent prominence in church work of many of those who go out from these environments."

As the chartered rights of Rutgersville, McKenzie, Wesleyan and Soule colleges were transferred to and absorbed by Southwestern University, the following historical facts are of interest:

"Rutersville College, located at Rutgersville, was chartered by the Congress of Texas in the days of the Republic, January 25, 1840. This educational movement marked the first effort of the Methodist Church in Texas in behalf of Christian education, and was inspired by that wise and devoted missionary, Martin Ruter, D. D., during the few months of his missionary service in the Republic, and just prior to his death, which occurred May 16, 1838. The first President was Rev. Chauncey Richardson, A. M., a man of marked ability as a minister and educator, and eminently fitted for the position. He was succeeded by William Halsey, A. M., and he by the late Rev. H. S. Thrall, A. M., D. D., who died an honored member of the West Texas Conference.

"McKenzie College, which was located near Clarksville, Red River county, had its beginning in 1841, but was not chartered until several years later. It had but one President, its honored founder, Rev. J. W. P. McKenzie, A. M., D. D., who died June 20, 1881, and is buried near the college site. For thirty years the McKenzie College had a remarkable degree of prosperity, having matriculated more than 300 pupils per session, and drawn patronage from all parts of the State. More than 3000 young men and women received instruction at this institution, many of whom became conspicuous in the service of church and State. The reverses of the late Civil War and the infirmities of age compelled the President to close the institution in 1871. \* \* \*

"Wesleyan College was located at San Augustine, and chartered by the Congress of the Republic of Texas, January 16, 1844. Rev. Lester Janes, A. M., was the first President. We have the name of only three professors, Daniel Poe, A. M.; A. J. Fowler, A. M., and Rev. R. W. Kennon, who died an honored member of the Texas Conference. This institution was destroyed by fire a few years after its inauguration, and was never rebuilt.

"Soule University was chartered in 1856. Its Presidents were: William Halsey, A. M.; O. H. McComber, A. M.; Rev. G. W. Carter, D. D., and Rev. F. A. Mood, D. D. The prosperity of this institution was interrupted by the late war, and it never afterward regained its former prestige. Several of its alumni have become distinguished in public service. \* \* \*"

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## SPANISH WAR, TEXANS WHO SERVED IN.

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Under requisition from the President of the United States for three regiments of infantry and one of cavalry from Texas for service in the war against Spain, the following organizations (thirty-eight out of the forty-eight composing the Texas Volunteer Guard) responded to the call of Governor C. A. Culberson, to fill the quota, and by General Order No. 180, dated Austin, April 28, 1898, were assigned to the respective volunteer regiments as follows:

*First Infantry.*—Co. A, Houston Light Guard; Co. B, Sealy Rifles (changed to Galveston Rifles); Co. C, Emmett Rifles; Co. D, Lipscomb Rifles; Co. E, Kennedy Rifles; Co. F, Belknap Rifles; Co. G, San Antonio Guard Zouaves; Co. H, LaGrange Light Guard; Co. I, Eagle Pass Rifles (changed to Tom Campbell Rifles of Milano); Co. K, Marble Falls Guard; Co. L, Governor's Guard; Co. M, Fannin Guards.

*Second Infantry.*—Co. A, Mabry Guard; Co. B, Stone Fort Rifles; Co. C, Shaw Rifles; Co. D, Fort Worth Fencibles; Co. E, Trezevant Rifles; Co. F, Waco Rifles; Co. G, Joe Bailey Rifles; Co. H, Lloyd Rifles; Co. I, Garrity Rifles; Co. K, Dallas Guard Zouaves; Co. L, Mexia Minute Men; Co. M, Marshall Rifles (changed to O'Connor Guards of Victoria).

*Third Infantry.*—Co. A, Longview Rifles; Co. B, Greenville Light Guard; Co. C, Greenville Rifles; Co. D, Beaumont Light Guard; Co. E, San Angelo Rifles; Co. F, Lyons Sherman Infantry; Co. G, Hemming Guard; Co. H, Decatur Rifles; Co. I, Boggess Volunteers; Co. K, Denison Rifles; Co. L, Cleburne Rifles; Co. M, Hillsboro Rifles.

*First Cavalry.*—Troop A, Capital City Cavalry; Troop B, Houston Cavalry; Troop C, Dallas Cavalry; Troop D, Bailey Cavalry; Troop E, Georgetown Cavalry; Troop F, Fort Worth Cavalry; Troop G, Schulenburg Cavalry; Troop H, Lane Rangers; Troop I, San Antonio Cavalry; Troop K, Laredo Cavalry; Troop L, Weimar Cavalry (changed to Stanley Rangers of Denison); Troop M, Uvalde Cavalry.

The infantry and cavalry Captains were instructed to recruit their companies to the full strength required by U. S. Army regulations, viz., to not less than eighty nor more than eighty-four officers and men (no man under the rank of commissioned officer to be less than eighteen or more than forty-five years of age); to hold themselves in readiness for mobilization at Camp Mabry near Austin; and, when the order for mobilization was sent out, to issue vouchers in triplicate for transportation, subsistence, etc.

By General Order No. 187, of the Governor, attested by W. H. Mabry, Adjutant General, and dated May 2, 1898, the regiments were ordered to rendezvous at Camp Mabry forthwith.

May 11, 1898, the following assignments of field and staff officers was made by the Governor (General Order No. 4, A. P. Wozencraft, Adjutant General):

*First Infantry.*—W. H. Mabry, Colonel (died in Havana, in January, 1899); W. H. Stacy, Lieutenant Colonel; C. G. Dwyer, Senior Major; Thomas Scurry, Junior Major; W. N. Vilas, M. D., Surgeon; Wm. Gammon, M. D., Assistant Surgeon; A. B. Kennedy, M. D., Assistant Surgeon; Duval West, Adjutant; A. E. Devine, Quartermaster; Rev. Geo. S. Sexton, Chaplain.

*Second Infantry.*—L. M. Openheimer, Colonel; J. A. Styron, Lieutenant Colonel; B. B. Buck, Senior Major; E. A. Stuart, Junior Major; D. L. Peeples, M. D., Surgeon; T. T. Jackson, M. D., Assistant Surgeon; W. B. McLaughlin, M. D., Assistant Surgeon; Frank Badger, Adjutant; Oscar C. Guessaz, Quartermaster; Rev. W. W. Watts, Chaplain.

*Third Infantry.*—R. P. Smyth, Colonel; Richard Cocke, Lieutenant Colonel; A. W. Drew, Senior Major; W. A. Taylor, Junior Major; H. L. Taylor, M. D., Surgeon; G. W. Sims, M. D., Assistant Surgeon; W. T. Davidson, M. D., Assistant Surgeon; R. K. Gaston, Adjutant; Walter G. Sneed, Quartermaster; Rev. W. K. Lloyd, Chaplain.

*First Cavalry.*—J. R. Waties, Colonel; Luther R. Hare, Lieutenant Colonel; Jno. A. Hulen, Major; Edwin S. Easley, Major; E. A. Peareson, Major; Frederick Hadra, M. D., Surgeon; H. C. McClanahan, M. D., Assistant Surgeon; R. E. Nicholson, M. D., Assistant Surgeon; Jas. M. Burroughs, Adjutant; Geo. A. Wheatley, Quartermaster; Rev. B. H. Carroll, Jr., Chaplain.

**1ST INFANTRY.**

Co.	Captain.	First Lieutenant.	Second Lieutenant.
A.	George McCormick.	Richardson A. Scurry.	Milby Porter.
B.	Victor N. Theriot.	Marlon G. Raysor.	George B. Hutchins.
C.	Thos. H. Franklin.	Octavius C. Drew.	Ivan Murchison.
D.	John L. Veazey.	Samuel C. Orchard.	John W. Rainbolt.
E.	Augustus F. W. Macmanus.	Tobe F. Fitzsimmons.	Albert B. Watts, Jr.
F.	Solon L. McAdoo.	William B. Hamilton.	Raymond Keller.
G.	Eugene J. Hernandez.	Gabriel F. Cazell.	Henry M. Half.
H.	George Willrich.	John W. Moore.	Theodore H. Kroll.
I.	Roy W. Hearne.	Oliver P. Storm.	Lewis Bedell.
K.	Edmund L. Richards.	Iva J. Dawson.	Robert E. Johnson.
L.	Roger O. Roberdeau.	Benjamin F. Wright.	James W. Smith.
M.	Jules E. Muchert.	Oscar S. Lusk.	Benjamin H. Dabney.

**2ND INFANTRY.**

Co.	Captain.	First Lieutenant.	Second Lieutenant.
A.	Chas. G. Bierbower.	Richard C. Bierbower.	Charles Standifer.
B.	James W. Ireson.	McNeill Chapman.	Robert T. Shindler.
C.	Gordon Boone.	Charles Ahrenbeck.	Thomas P. Buffington.
D.	Samuel Rosenfeld.	Carroll T. Elliott.	John L. Terrell.
E.	Charles S. Mitchell.	Angelo De Stefano.	Ersline H. Roach.
F.	William McK. Lambdin.	William Winston, Jr.	Jeptha H. Duncan.
G.	Godfrey R. Fowler.	Robert L. Endone.	George E. McDonald.
H.	Amzi B. Kelly.	Phillips M. Hunt.	John E. Homan.
I.	Ernest C. Lee.	Charles A. Davis.	Louis R. Johnson.
K.	Joe R. Gunn.	Benj. F. Kirkland.	Oden R. Brooks.
L.	Joe S. Marks.	Willie S. Bowers.	John H. Vickers, Jr.
M.	Earle E. Perrenot.	Thomas S. Smythe.	William J. Yates.

**3RD INFANTRY.**

Co.	Captain.	First Lieutenant.	Second Lieutenant.
A.	Richard B. Levy.	Authur H. Buchanan.	Allen Oliver.
B.	Charles A. Duff.	John L. Sparger.	Robert E. Donoho.
C.	Joseph F. Nichols.	Joseph E. Johnson.	Milo B. Mathews.
D.	Walter L. Smith.	Chenault O'Brien.	Edward J. Blaine.
E.	Edward W. Bryan.	Sanford E. Gantt.	Silas H. Keeton.
F.	Dupont B. Lyon.	Charles H. Moody.	Robert R. Cunningham.
G.	Nathan Lapowski.	Joseph N. Boozer.	Meyer A. Lewis.
H.	James H. Gilleland.	Henry E. Brady.	Robert M. Simmons.
I.	William Walpole.	West F. Price.	Jesse Howell.
K.	Frederick S. Young.	Charles W. Nimon.	Dale G. Kilburn.
L.	George M. Duncan.	Edd. A. Cook.	Joseph C. Bridges.
M.	Edmund G. Shields.	Elisha A. Abbott.	Thomas N. Adams.

**1ST CALVARY.**

Co.	Captain.	First Lieutenant.	Second Lieutenant.
A.	Louis H. Younger.	James H. Burditt.	Thomas G. Buttery.
B.	Churchill Towless.	Christopher C. Beavens.	Jules A. Hall.
C.	John R. Hunter.	Wm. R. Fowler.	David R. Nash.
D.	Howard L. Peffer.	Thomas N. Gates.	Wallace L. Everman.
E.	Armistead S. Fisher.	Quinn M. Crockett.	Lesser W. Tubb.
F.	Gus. T. West.	I. P. Mills.	James D. Read.
G.	Wm. W. Walker.	Wm. E. Perlitz.	Wilton S. Rose.
H.	W. S. Holman.	Jake F. Wolters.	S. H. Hancock.
I.	John F. Green.	John W. Tobin.	Henry L. Howard.
K.	Frank B. Earnest.	Foxhall A. Parker.	Max Sulnon.
L.	Edwin Hammond.	Isaac N. Layne.	Lauret Holmes.
M.	Thos. G. Baker.	Benj. D. Lindsay.	Olive H. Shook.

**Fourth Infantry.**

Under a second call of the President, a fourth regiment of infantry, consisting of twelve companies of 109 men (officers and privates) each, was mobilized at Camp Mosby, near Houston, July 30, 1898.

July 30, 1898, the following assignment of field, staff, and line officers for this regiment was made by the Governor:

Colonel.....	John C. Edmonds .....	to rank from July 30, 1898
Lieutenant-Colonel.....	G. W. Hardy.....	to rank from July 14, 1898
Senior Major.....	Abe Harrison.....	to rank from July 12, 1898
Junior Major.....	Allen Buell.....	to rank from July 15, 1898
Surgeon.....	E. N. Shaw.....	to rank from July 1, 1898
Assistant Surgeon.....	T. F. Smythe.....	to rank from July 1, 1898
Assistant Surgeon.....	J. T. Halsell.....	to rank from July 1, 1898
Adjutant.....	Spencer Hutchins.....	to rank from July 2, 1898
Quartermaster.....	John Crotty.....	to rank from July 7, 1898
Chaplain.....	W. D. Robinson.....	to rank from July 30, 1898

**COMPANIES.**

	Captain.	First Lieutenant.	Second Lieutenant.	Date of Commission
A	Oscar E. Cockrell.....	Lindsey P. Rucker.....	Thos. E. Sewell.....	July 23, 1898
B	Allen T. Smither.....	Thomas M. Stroud.....	Hamman Norwood.....	July 23, 1898
C	James F. Rhea.....	Hugh F. McDonald.....	Chas. C. Provine.....	July 12, 1898
D	John D. McRae.....	George T. Wilson.....	John M. Clark.....	July 12, 1898
E	Shelton F. Leake.....	A. E. Miller.....	C. C. Roberts.....	July 8, 1898
F	Alfred R. Burges.....	Wm. S. Cunningham.....	Edward Duggan, Jr.....	July 23, 1898
G	Hiram C. Baker.....	Henry A. Hanigan.....	Claude P. Chastain.....	July 22, 1898
H	Arthur R. Sholars.....	Chas. E. Ragland.....	Chas. G. Cook.....	July 14, 1898
I	Richard L. Jarvis.....	Wm. C. Fitzpatrick.....	Norman R. O'Neal.....	July 15, 1898
K	Hampson Gary.....	Sam'l A. Martin.....	Austin C. Rogers.....	July 9, 1898
L	Semmes W. Parish.....	Quins M. McDonald.....	Louis S. Casimer.....	July 14, 1898
M	Jesse R. Holman.....	Deck Davis.....	Richard C. Harris.....	July 13, 1898

The First, Second and Third Infantry and First Cavalry were mustered into the United States army at Camp Mabry, May 12-14, 1898.

The First Infantry proceeded first to Mobile, Ala.; thence to Miami, Fla.; thence to Jacksonville, Fla.; thence to Savannah, Ga.; and thence to Havana, Cuba, and was mustered out at Camp Egbert, Galveston, April 18, 1899.

The Second Infantry proceeded first to Mobile, Ala., and thence to Florida; returned to Texas in September, 1898, and was mustered out at Dallas, November 9, 1898.

The Third Infantry was stationed at West Texas posts, and was mustered out at Ft. Clark and other stations February 19, 1899.

The Fourth Infantry was stationed at various Texas points until March, 1899, and on the 10th of that month was mustered out of the service at Camp Mosby.

The First Cavalry was stationed at Fort Sam Houston, and was mustered out there November 14, 1898.

One hundred and forty-two officers and 1818 men of the Texas Volunteer Guard were mustered into the army as United States Volunteers. After arrival at the point of assembly, the regiments were recruited to the full strength required under the calls of the President, swelling the aggregate of officers and privates furnished by Texas in the five regiments to about 6500. Riche's Immunes and one battalion of Hood's Immunes was composed almost entirely of Texans. In addition to these a large number of Texans enlisted as regulars. A large number were also in the regiment of Rough Riders, commanded by Col. Roosevelt and Lieut. Col. Wood.

In his report to Governor Culberson, December 31, 1898, Adjutant General Wozencraft said:

"For the first time in many years the Texas Volunteer Guard had an opportunity in the war between the United States and Spain to prove the patriotism, courage and unselfishness of its members. The response of the organization to call for troops was creditable, indeed. Notwithstanding the fact that the volunteers expected to be sent to the yellow fever ridden districts of Cuba, and encounter both bullets and pestilence during the heated period of the year, out of the forty-eight organizations of infantry and cavalry of the Texas Volunteer Guard, thirty-eight volunteered their services on the first call of the President. No artillery was called for from Texas during the war, but all the artillery organizations signified their desire to serve the country and used their influence to its fullest extent in efforts to get into the service."

#### **Promotions and Appointments in the Texas U. S. Volunteer Regiments after Their Organization.**

June 2, 1898: Lieut. Col. L. R. Hare, 1st Texas Vol. Cav., to be Colonel, vice Waties, promoted Brigadier General, U. S. Vols. Major John A. Hulén, 1st Texas Vol. Cav., to be Lieut. Col., vice Hare, promoted. Captain C. Towles, Troop B, to be Major, vice Hulén, promoted. First Lieut. C. C. Beavens, Troop B, to be Captain, vice Towles, promoted. Second Lieut. Jules A. Hail, Troop B, to be First Lieut., vice Beavens, promoted. First Sergeant Jno. D. Moore, Troop B, to be Second Lieut., vice Hail promoted.

June 9, 1898: First Sergeant Geo. Coon, Co. A, 2nd Texas Vol. Infantry, to be Second Lieut., vice Standifer, resigned.

June 21, 1898: R. S. Robinson, to be First Lieut. and Quartermaster, 2nd Texas Vol. Infantry, vice Guessaz promoted Captain and Quartermaster U. S. Vols.

July 18, 1898: Second Lieut. W. F. Rose, Troop G, 1st Texas Vol. Cavalry, to be First Lieut., vice Perlitz, resigned. First Sergeant Will F. Hudson, Troop G, to be Second Lieut., vice Rose, promoted.

July 25, 1898: Second Lieut. Jesse Howell, Co. I, 3rd Texas Vol. Infantry, to be First Lieut., vice Price, resigned.

July 27, 1898: Second Lieut. M. B. Mathews, Co. C, 3rd Texas Vol. Infantry, to be First Lieut., vice Johnson, resigned. First Sergeant O. P. Herndon, to be Second Lieut., vice Mathews, promoted.

August 10, 1898: First Sergeant Walter Hoover, Co. I, 3rd Texas Vol. Infantry, to be 2nd Lieut., vice Howell, promoted.

August 29, 1898: Major C. G. Dwyer, 1st Texas Vol. Infantry, to be Lieut. Col., vice Stacy, resigned. Captain R. C. Roberdeau, Co. L, 1st Texas Vol. Infantry, to be Major, vice Dwyer, promoted. First Lieut. B. F. Wright, Co. L, to be Captain, vice Roberdeau, promoted. Second Lieut. Jas. M. Smith, Co. L, to be First Lieut., vice Wright, promoted. First Sergeant A. P. Scott, Co. L, to be Second Lieut., vice Smith, promoted.

September 7, 1898: First Sergeant R. W. Alvey, Co. B, 1st Texas Vol. Infantry, to be Second Lieut., vice Hutchins, resigned. First Sergeant Jno. A. Jackson, Co. G, 1st Texas Vol. Infantry, to be Second Lieut., vice Half, resigned. Second Lieut. Thos. Buffington, Co. C, 2nd Texas Vol. Infantry, to be First Lieut., vice Ahrenbeck, resigned. First Sergeant Chas. J. Kirk, Co. C, 2nd Texas Vol. Infantry, to be Second Lieut., vice Buffington, promoted.

September 9, 1898: First Sergeant Jno. M. Trimble, Troop F, 1st Texas Vol. Cavalry, to be Second Lieut., vice Read, resigned.

September 21, 1898: First Lieut. O. S. Lusk, Co. M, 1st Texas Vol. Infantry, to be First Lieut. and Adjutant, 1st Texas Vol. Infantry, vice West, resigned. Second Lieut. B. H. Dabney, Co. M, 1st Texas Vol. Infantry, to be First Lieut., vice Lusk, appointed Adjutant. First Sergeant R. U. Atkins, Co. M, to be Second Lieut., vice Dabney, promoted.

October 6, 1898: Second Lieut. Max Sulnon, Troop K, 1st Texas Vol. Cavalry, to be First Lieut., vice Parker, resigned. First Sergeant Thos. H. Manley, Troop K, to be Second Lieut., vice Sulnon, promoted.

October 11, 1898: Second Lieut. Lewis Bedell, Co. I, 1st Texas Vol. Infantry, to be First Lieut., vice Storm, resigned. First Sergeant J. L. Little, Co. I, to be Second Lieut., vice Bedell, promoted.

October 21, 1898: Captain I. H. Younger, Troop A, 1st Texas Vol. Cavalry, to be Major 1st Texas Vol. Cavalry, vice Peareson, resigned. First Lieut. Jack H. Burdett, Troop A, to be Captain Troop A, vice Younger, promoted. Second Lieut. Thos. G. Buttery, Troop A, to be First Lieut., vice Burdett, promoted. First Sergeant Jno. W. Hefflin, Troop A, to be Second Lieut., vice Buttery, promoted.

October 26, 1898: First Lieut. and Asst. Surgeon A. B. Kennedy, 1st Texas Vol. Infantry, promoted Major and Asst. Surgeon same regiment, vice Vilas, resigned.

November 2, 1898: First Lieut. R. A. Scurry, Co. A, 1st Texas Vol. Infantry, to be Captain, vice McCormick, resigned. Second Lieut. Melby Porter to be First Lieut., vice Scurry, promoted. First Sergeant Wm. R. Tucker, to be Second Lieut., vice Porter, promoted. First Lieut. and Asst. Surgeon, late of 2nd Texas Vol. Infantry, appointed First Lieut. and Asst. Surgeon, 1st Texas Vol. Infantry, vice Gammon, resigned.

November 2, 1898: Captain E. A. Hammond, Troop L, 1st Texas Vol. Cavalry, to be Major, vice Easley, resigned. First Lieut. I. N. Layne, Troop L, to be Captain, vice Hammond, promoted. Second Lieut. Lauret Holmes, to be First Lieut., vice Layne, promoted. First Sergeant B. Kirkpatrick, to be Second Lieut., vice Holmes, promoted.

November 4, 1898: First Lieut. W. F. Rose, Troop G, 1st Texas Vol. Cavalry, to be Captain, vice Walker, resigned. Second Lieut. W. F. Hutson, to be First Lieut., vice Rose, promoted. First Sergeant Jos. E. Roberts, to be Second Lieut., vice Hutson, promoted.

November 16, 1898: Captain S. W. Semmes, to be Captain Co. L, 4th Texas Vol. Infantry, vice himself, resigned.

November 19, 1898: First Sergeant Ben C. Love, Co. I, 1st Texas Vol. Infantry, to be Second Lieut., vice Little, resigned. Second Lieut. E. J. Blaine, Co. D, 3rd Texas Vol. Infantry, to be First Lieut., vice O'Brien, resigned. First Sergeant Carroll Seale, Co. D, 3rd Texas Vol. Infantry, to be Second Lieut., vice Blaine, promoted.

November 26, 1898: Rev. W. W. Watts, late of 2nd Texas Vol. Infantry, to be chaplain 1st Texas Vol. Infantry, vice Sexton, resigned.

December 10, 1898: Dr. Frank B. Hogg to be Asst. Surgeon 1st Texas Vol. Infantry, vice Kennedy, promoted.

December 31, 1898: Captain T. H. Franklin, Co. C, to be Major 1st Texas Vol. Infantry, vice Roberdeau, resigned. First Lieut. O. C. Drew, Jr., Co. C, 1st Texas Vol. Infantry, to be Captain, vice Franklin, promoted. Second Lieut. Ivan Murchison, Co. C, to be First Lieut., vice Drew, promoted.

January 9, 1899: First Lieut. Qulus McDonald, Co. L, 4th Texas Vol. Infantry, to be Captain, vice Parish, resigned. Second Lieut. Louis S. Casimer, to be First Lieut., vice McDonald, promoted. First Sergeant Herbert J. Norton, to be Second Lieut., Co. L, vice Casimer, promoted.

January 13, 1899: Lieut. Col. C. G. Dwyer, 1st Texas Vol. Infantry, to be Colonel, vice Mabry, deceased. Major Thos. H. Franklin, to be Lieut. Colonel, vice Dwyer, promoted. Captain Geo. Willrich, Co. H, to be Major, vice Franklin, promoted. First Lieut. Jno. W. Moore, Co. H, to be Captain, vice Willrich, promoted. Second Lieut. Theodore H. Kroll, Co. H, to be First Lieut., vice Moore, promoted. Captain E. L. Richards, Co. K, to be Major, vice Scurry, resigned. First Lieut. Ira J. Dawson, Co. K, to be Captain, vice Richards, promoted. Second Lieut. Robert E. Johnson, Co. K, to be First Lieut., vice Dawson, promoted. First Sergeant Guy Green, Co. K, to be Second Lieut., vice Johnson, promoted.

January 23, 1899: First Sergeant Leonard T. Baker, Co. H, 1st Texas Vol. Infantry, to be Second Lieut., vice Kroll, promoted.

All Texas volunteers were entitled to pay and subsistence from the United States government from the time of assembling at their home stations until mustered into the United States army at the points of rendezvous.

After the war, an appropriation having been made by Congress, Adjutant General Scurry mailed blank forms to the various Captains of companies for them to furnish data that would enable him to make out and furnish proof of the amount due Texas soldiers. The replies received were, in a majority of instances, inadequate for the purpose. He then had recourse to the muster rolls on file in his office and with the aid of his department force (two men) collected the necessary information, and proceeded to Washington, where he presented the claim and had it approved by the War and Treasury departments, and the amount due placed to the credit of Governor Sayers. Governor Sayers drew the money and had it deposited in the State National Bank at Austin. General Scurry then, from company pay rolls, prepared a statement showing the amount due each man, and the Governor drew his check in favor of the parties therefor. By writing to Captains, notices in leading newspapers, sending out circulars, and in every way that ingenuity and intel-

ligence can suggest General Scurry has endeavored to convey to the parties interested information that the money due them is on hand and will be paid them upon properly applying therefor.

The following table<sup>1</sup> shows the amount due to each regiment and to rejected recruits, payments made, etc., to January 1, 1902:

Regiment.	Amt. dep'd in State Nat. Bank.	No. checks issued.	Amt. checks drawn.	Balance to credit.
1st Texas Volunteer Cavalry.....	\$ 10,769 34	759	\$ 8,942 81	\$ 1,826 53
1st Texas Volunteer Infantry.....	7,928 23	793	7,118 43	809 80
2nd Texas Volunteer Infantry.....	8,539 91	754	6,991 98	1,547 93
3rd Texas Volunteer Infantry.....	8,426 20	736	6,916 58	1,509 62
4th Texas Volunteer Infantry.....	11,595 15	823	8,742 39	2,852 76
Rejected recruits.....	935 40	92	725 04	210 36
<b>Totals.....</b>	<b>\$ 48,194 23</b>	<b>3,957</b>	<b>\$ 39,437 23</b>	<b>\$ 8,757 00</b>

The total amount has not been drawn for the reason that the postoffice addresses of many of the soldiers have not yet been ascertained. There were 1000 or more rejected recruits, and only about 170 filed claims for pay in the Adjutant General's office before January 1, 1902, the last date on which they could be filed under the law. Claims to the amount of \$346.89 have been submitted to the War Department, but have not yet been passed upon.

### HON. ROBERT N. STAFFORD, MINEOLA.

It is a pleasure to the writer to devote a page of this initial volume of what he hopes will prove an interesting and historically valuable series, to placing on record a few facts concerning a valued friend whose talents as a lawyer, ability as a legislator, and genuine patriotism he sincerely admires.

Robert N. Stafford was born in Upson county, Georgia, November 6, 1856, the son of a family distinguished for its worth.

Graduating from Emory College, Oxford, Georgia, in July, 1876, he came to Texas in the autumn of that year, and in 1877 taught school at Douglasville with Maj. J. H. Granberry. In the spring of 1878 he went to Quitman and there taught school and read law until the early part of 1879, at which time he stood a creditable examination in the district court and was admitted to the bar. His good qualities had become very generally known and he was put forward for and elected County Attorney in 1880, and in 1886 and 1888 was elected District Attorney. He was Master in Chancery for the I. & G. N. Ry. Co. in 1891 and 1892; was a delegate to the National Democratic Convention in 1892, and was elected to the State Senate in 1894 and re-elected in 1898. His services as State Senator have extended over the sessions of the Twenty-fourth, Twenty-fifth, Twenty-sixth and Twenty-seventh Legislatures. January 11, 1899, he was elected by a unanimous vote President Pro Tem. of the Senate of the Twenty-sixth Legislature. May 25th following, when the Legislature was on the eve of adjourning, Senators Potter and McGee

<sup>1</sup>Table and paragraph following same furnished YEAR BOOK by Adjutant General Scurry.





**HON. R. N. STAFFORD**



offered a set of resolutions that were adopted without a dissenting vote, and of which the following constituted a part:

"Be it resolved, That the thanks of the Senate are hereby extended the President of the Senate, Lieutenant-Governor Browning, and to the President Pro Tem., Senator Stafford, for the marked ability and fairness with which they have presided over the Senate during the session and for the kindness and impartiality with which they have treated Senators."

In the Senate, May 26, 1899, Senator Hanger, being recognized, yielded the floor to Assistant Journal Clerk Thomas H. Napier, who, on behalf of the officers and employes of the Senate, presented an elegant gold-headed cane to Mr. Stafford, as a testimonial of esteem, making an excellent complimentary address to which Mr. Stafford suitably replied.

During the sessions of the Twenty-seventh Legislature Senator Stafford was Chairman of Judiciary Committee No. 1, one of the most important, if not the most important, of the standing committees. Upon entering the Legislature he at once took rank as a man of solid learning, purity of motive, and well-defined convictions on questions that arose for consideration, and from the vantage ground of such a position he labored effectively for sound and needed legislation and added not a few laurels to his fame.

Lieutenant-Governor Browning appointed him one of the two Senators on the legislative committee created by joint resolution of the Twenty-seventh Legislature to investigate the various State departments and institutions. A fitting tribute, this, to his ability and moral courage!

Senator Stafford is married and has an interesting family. He is a member of the M. E. Church, South, and of the Masonic and Knights of Pythias fraternities. His term as Senator from the Seventh District (Smith, Rains, Van Zandt, Gregg and Upshur counties) expires this year (1902). And indications now point to his re-nomination as Senator without opposition by the Democratic party, and his assured election at the polls.

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## THE STATE CONTRACT WITH H. P. N. GAMMEL.

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The State contract with H. P. N. Gammel appears below:

Authorizing and instructing the Printing Board, with the approval of the Governor, to exchange certain books, pamphlets, journals, reports, statutes and stereotype plates, belonging to the State in charge of the office of Secretary of State, for copies of the session acts, general and special, of the State of Texas, and the laws of the Republic, bound in sheep; and by said exchange to provide for the publishing the Supreme Reports, the reports of the Civil Court, and the reports of the Criminal Court reports of Texas free to the State and to the public for a price not to exceed \$2.00 a volume for a term of years.

*Be it resolved by the Legislature of the State of Texas:*

SECTION 1. That the Printing Board be and are hereby authorized to exchange the books, pamphlets, journals, reports, statutes, bound or unbound, the stereotype or electrotpe plates now stored away in the basement of the capitol and controlled by the Secretary of State, or so many of them as in their judgment is deemed for the best interest of the

State, for three hundred sets containing three thousand volumes of the session laws, general and special, of the State of Texas and of the Republic of Texas, bound in law sheep, and for such exchange to provide for the printing, binding and publication of the Supreme Court Reports, of the several Courts of Civil Appeals, and of the Court of Criminal Appeals of Texas, to be furnished the State free of charge, for the State's use and free distribution as now provided or may be hereafter provided by law, not to exceed three hundred sets, and to provide for the sale of all such reports to the public for a price not exceeding \$2.00 per volume for a term not to exceed twenty years; and to further provide for the issuance of at least two thousand copies of such reports; and further provided, that when additional courts are created by the Legislature that said contractors shall furnish free to the State for such courts copies of all reports published or sold by him.

A set of the session laws, general and special, shall be furnished by the State to each of the organized counties in the State free for the use of the several courts of said counties, the same to remain the property of the State of Texas.

SEC. 2. Any and all contracts under this resolution shall be made with the residents of the State of Texas, and the work shall be done in Texas.

SEC. 3. The stereotype or electrotpe plates, after the expiration of the contract, as contemplated by Section 1 of this act, shall be returned to the State in good condition, reasonable wear in usage excepted, and the State shall not part with any copyright to the several reports mentioned in Section 1, or to the State's ownership in and to the stereotype or electrotpe plates therein mentioned.

SEC. 4. The Printing Board shall require a good and sufficient bond in the sum of not less than \$10,000, conditioned upon the faithful performance of this contract, said bond to be renewed as often as the Printing Board shall deem necessary. If any contractor shall fail or refuse to give a new bond when required to do so by the Printing Board then his contract shall be terminated without further notice.

SEC. 5. Provided, however, that said contract shall be subject to the approval and ratification of the Governor.

The above contract was duly approved and ratified by the Governor. In accordance with its terms Mr. Gammel has received the "books, pamphlets, journals, reports, statutes and stereotype plates" stored away in the basement of the capitol and has turned over to the State "300 sets containing 3000 volumes of the session laws, general and special, of the State of Texas and of the Republic of Texas" for distribution to all the counties in the State. Besides this, he is now having printed the various court reports required by his contract.

The Gammel Book Company, of which Mr. Gammel is the senior member and manager, is now perhaps the largest publishing house in the Southwest dealing principally in law books and court reports.

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The iron deposits in Texas are practically inexhaustible. Car wheels made from Texas iron by the Dixon Foundry Company, of Houston, have been subjected to frequent severe tests that demonstrate that they outlast wheels made from any other iron.

## STATE DEPARTMENT.

John G. Tod, Secretary of State; salary \$2,000 per annum. Geo. T. Keeble, Chief Clerk. Office force, five clerks in addition to the Chief Clerk.

The Secretary of State is ex-officio chairman of the Printing Board, chairman of the Capitol Fuel Board, and member of the State Board of Education and State Board of Equalization.

The duties of the Secretary of State are numerous and important. Among them may be enumerated the following: (1) To file, copy and record all charters and charter amendments, and collect fees and issue receipts for same. (2) To attest, file and record requisitions, executive warrants, pardon proclamations, proclamations for rewards, election proclamations, etc. (3) To receive, tabulate and record State and district election returns, and issue commissions to State and district officers. (4) To keep a complete register of State, district, county and precinct officers, showing all changes. (5) To advertise proposed amendments to the Constitution in one newspaper in every county in which a newspaper is published. (6) To have charge of the publication of laws, and to furnish copies of same and of court reports to officers entitled to same. (7) To take charge of all bills and legislative papers on the adjournment of Legislatures *sine die*, and file and index same for reference. (8) To receive and preserve all volumes of laws of other States sent (under the system of exchange in vogue) to this State. (9) To register all railway bonds passed upon by the Railroad Commission and ordered to be registered by that body. (10) To have the custody of and preservation of archives extending to the first days of the Republic of Texas.

The total amount appropriated for the support of this department for the two years ending February 28, 1901, was \$20,880. In addition to this sum \$394.45 was appropriated at the Regular Session of the Twenty-sixth Legislature to cover deficiencies in the appropriation for the year ending February 28, 1899.

The receipts of the department from fees of all sorts, from January 16, 1899, to December 31, 1900, aggregated \$298,161.49, of which sum \$68,378.79 was charter and permit fees.

The Twenty-seventh Legislature appropriated \$6,335 for the department for the six months ending August 31, 1901, and \$25,585 for the two years beginning September 1, 1901, and ending August 31, 1903.

The receipts from fees of all sorts from January 1 to December 31, 1901, both inclusive, aggregated \$356,118.60, of which sum \$191,596 was charter and permit fees.

From January 1, 1899, to December 31, 1900 (date of the latest biennial report of the Secretary of State) 1,101 charters of domestic corporations, other than those of railway companies, were filed in the State Department. These had an aggregate capitalization of \$37,080,410. One hundred and twenty-three amendments to charters were filed, of which sixty-six increased the aggregate capitalization of the companies that filed them \$3,977,500.

The new companies chartered during the two years may be classified as follows: Cotton mills, 11; financial (trust, savings, etc.), 14; man-

ufacturing and other industrial, 232; petroleum (two in the Beaumont field), 6; rice, 5; cotton seed oil, 40; coal, 9; irrigation, 14; copper mining, 2; cattle, 17; steamship, 1; telephone, 31; waterworks, 7; electric light, 6; street railway, 3; dairy, 14; sewerage, 1; town site and improvement, 17; real estate, 12; compress, 5; mercantile and other business, 506; universities, colleges and schools, 37; churches, 27; public libraries, 4; hospitals, 5; sanitariums, 3; orphanage, 1; literary, social and other clubs, 80; auditorium, 1.

#### OIL COMPANIES CHARTERED IN 1901.

Months.	No.	Aggregate capital stock.	Months.	No.	Aggregate capital stock.
January.....	9	\$ 1,865,000 00	September.....	5	\$ 1,050,000 00
February.....	16	2,905,000 00	October.....	12	6,655,000 00
March.....	19	3,430,000 00	November.....	5	1,125,000 00
April.....	158	58,038,000 00	December.....		9,650,000 00
May.....	182	95,533,999 00			
June.....	29	10,573,000 00	Total.....	491	\$ 239,639,999 00
July.....	35	42,240,000 00			
August.....	21	6,575,000 00			

The largest oil company chartered, and, in fact, the largest corporation of any kind ever chartered in Texas, is the Houston Oil Company of Texas, Houston, \$30,000,000. Incorporators: B. F. Bonner and J. H. Eagle, of Houston, and S. B. Cooper, of Houston, "and their associates." Board of Directors for the first year: J. Wilcox Brown, of Baltimore, Md.; Finis E. Marshall and Henry T. Kent, of St. Louis; S. B. Cooper, of Beaumont; and B. F. Bonner, W. W. Wilson, Joe H. Eagle and O. C. Drew, of Houston. The charter was filed in the Secretary of State's office July 5, 1901, at which time \$15,020 was paid as a filing fee and \$50 as franchise tax. The company was organized through the efforts of John H. Kirby, of Houston, who is understood to be its leading spirit.

The filing fee for corporations such as oil companies is \$25 (whatever the capital stock) and, in addition thereto, \$5.00 for every \$10,000 or fraction of \$10,000 capital stock in excess of \$10,000.

Four hundred and twenty industrial corporations (other than those connected with the discovery and utilization of petroleum) were chartered in Texas in 1901. Of these 364 were new companies, with an aggregate capitalization of \$31,600,004, and 56 old companies that increased their aggregate capitalization \$4,934,000.

By far the largest of the new companies is the Kirby Lumber Company, of Houston; capital stock, \$10,000,000. John H. Kirby and William W. Wilson, of Houston, Harris county, and James L. Kirby, of Hardin county, "and their associates," incorporators. This charter is for fifty years and was filed in the office of the Secretary of State July 5, 1901, at which time \$5,020 was paid as a filing fee and \$50 as franchise tax. The Board of Directors are: John T. Kirby, of Tyler county; James L. Kirby, of Hardin county; S. B. Cooper, of Jefferson county; and John H. Kirby, W. W. Wilson, B. F. Bonner, Marcellus E. Foster, Frank A. Reichardt and H. Baldwin Rice, of Houston. The stock is divided into 100,000 shares of \$100 each, of which \$5,000,000 is preferred and \$5,000,000 common stock. For the benefit of the uninitiated it may be stated that preferred stock has the following advantages: Div-

idents are paid on it before on common stock and, in case of liquidation, preferred stock is redeemed at par first, and common stock thereafter to the extent of the remaining assets of a corporation. Under the law, fifty per cent. of stock has to be subscribed and ten per cent. paid in, and affidavit made to that effect, before a charter can be filed and recorded in the office of the Secretary of State, all of which requirements have been complied with in this instance.

The existence of a corporation begins with the filing of the charter. The laws of Texas regulating corporations surround investments in their stock with safeguards found in few other States.

The aggregate capitalization of all charters filed during the twelve months of 1901 was \$279,759,003, as against \$41,057,910 for the two years ending December 31, 1900.

The unprecedented unfolding of resources, activity in every field of effort, and development along industrial and other lines that has characterized every part of the State during 1901, demonstrate that Texas has entered upon a new era whose possibilities may be descanted upon by those who find pleasure in word painting and flights of imagination, but to which sober reason can fix no boundaries.

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Intimations from the University of Texas Geological Survey are to the effect that the quicksilver deposits in Brewster county and adjacent region will probably exceed in richness and extent the most sanguine expectations.

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## STATE, SECRETARIES OF, REPUBLIC OF TEXAS.

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Under President *ad interim* David G. Burnet: Samuel P. Carson,<sup>1</sup> James Collingsworth and W. H. Jack.

Under President Sam Houston (first term): Stephen F. Austin, J. Pinckney Henderson and R. A. Irion.

Under Mirabeau B. Lamar: Barnard E. Bee, appointed December 16,

"While at Harrisburg," says President Burnet, in a communication to the First Texas Congress, "the health of the Hon. Sam P. Carson, Secretary of State, elected by the Convention, became infirm and precarious. He consequently applied for and obtained permission to visit the United States. Knowing that Mr. Carson had been a member of the Congress of that nation, and that he still retained an extensive influence there, we concluded to invest him with diplomatic powers in order to enable him to co-operate with the gentlemen already at the City of Washington advancing the great interests of the country."

The following is the letter authorizing Carson to proceed to the United States:

EXECUTIVE DEPARTMENT,  
HARRISBURG, April 1st, 1836.

To the Honorable Samuel P. Carson.

DEAR SIR: The infirm state of your health renders it necessary for you to repose from the fatigues of office and the suggestion of your physician that a change of climate would probably conduce to your restoration, I have submitted to the gentlemen associated with us in the government the propriety of your

1838; James Webb,<sup>1</sup> appointed February 6, 1839; D. G. Burnet, appointed Acting Secretary of State May 31, 1839; N. Amory, appointed Acting Secretary of State July 23, 1839; D. G. Burnet, appointed Acting Secretary of State August 5, 1839. Abner S. Lipscomb appointed Secretary of State January 31, 1840; resigned January 22, 1841. Joseph Waples appointed Acting Secretary of State January 23, 1841; served until February 8, 1841. Geo. W. Terrell appointed Secretary of State January 30, 1841; declined to accept. James S. Mayfield appointed Secretary of State February 8, 1841. Joseph Waples appointed Secretary of State April 30, 1841; served until May 25, 1841. Samuel A. Roberts appointed Secretary of State May 25, 1841, and re-appointed September 7, 1841.

Under President Sam Houston (second term): E. Lawrence Stickney, Acting Secretary of State from December 13, 1841, until Anson Jones, appointed Secretary of State December 13, 1841, arrived at the capital and assumed the duties of the office. Dr. Jones served as Secretary of State continuously through Houston's second term, except during the summer and part of the fall of 1842, when Joseph Waples filled the position as Acting Secretary of State.

Under President Anson Jones: Ebenezer Allen appointed Acting Secretary of State December 10, 1844, and discharged the duties of that office until Ashbel Smith qualified as Secretary of State, February 5, 1845. Ebenezer Allen appointed Acting Secretary of State March 31, 1845. Allen was later appointed Secretary of State.

proceeding forthwith to the United States and there employing your valuable time in the service of Texas. The Cabinet fully concur with me in the expediency of your temporary absence from us.

You will please repair as fast as circumstances will permit to Washington City and there unite your exertions with those of our Commissioners in procuring a *recognition* from the government of our *mother* country, and you will take in charge a general supervision of all the interests and concerns of Texas in that country.

You are fully apprised of our wants—they are numerous—as the means at present in our power of gratifying them are limited. Your exertions may be valuably employed in procuring aid of all sorts—fiscal aid is all important at this crisis.

Your absence will be too sensibly felt not to be deeply regretted—and I beg you will make it as little irksome as possible, not only by frequent communications, but by shortening the period of it as much as a prudent regard to your health and the ulterior objects of your visit will permit. An *acting* Secretary of State will be appointed *ad interim*—but the department will await the return of its most esteemed incumbent with impatient solicitude. Wishing you a pleasant trip, the speedy restoration of your health and an early return to us, I commend you to the protection of that God who careth for the oppressed.

With the greatest consideration, I am

Your friend & obt. serv.,

DAVID G. BURNET.

HOUSTON, 6 Feby., 1839.

The chief clerk in the State Department will prepare a commission for James Webb as Secretary of State in the place of Barnard E. Bee, resigned.

MIRABEAU B. LAMAR.

Webb became Attorney General May 31, 1839, and on that day was succeeded by David G. Burnet as Secretary of State. June 28, 1839, Webb was appointed to discharge the duties of Secretary of State during the temporary absence of Burnet.



## SECRETARIES OF STATE, STATE OF TEXAS.

	Appointed.	By whom appointed.	Qualified.	Remarks.
Charles Mariner, <i>ad interim</i> .	Feb. 20, 1846	Gov. Henderson.		
David G. Burnet.....	May 4, 1846	Gov. Henderson.....	May 4, 1846	
Washington D. Miller	Dec. 23, 1847	Gov. Wood.....	Jan. 1, 1848	
James Webb.....	Dec. 31, 1849	Gov. Bell.....	Jan. 2, 1850	
Thomas H. Duval.....	Oct. 20, 1851	Gov. Bell.....	Nov. 14, 1851	
Edward Clark.....	Dec. 22, 1853	Gov. Pease.....	Dec. 22, 1853	
Edward Clark.....	Dec. 21, 1855	Gov. Pease.....	Dec. 21, 1855	
T. S. Anderson.....	Dec. 22, 1857	Gov. Runnels.....	Dec., 1857	Resigned Dec. 27, 1859.
E. W. Cave.....	Dec. 27, 1859	Gov. Houston.....	Dec. 27, 1859	Refused to take the Confederate oath and retired Mch. 16, 1861, with Houston.
Bird Holland.....	Mar. 19, 1861	Gov. Clark.....	Mar. 19, 1861	
Charles West.....	Nov. 8, 1861	Gov. Lubbock.....	Nov., 1861	Resigned.
Robert J. Townes.....	Sept. 8, 1862	Gov. Lubbock.....	Sept., 1862	
Robert J. Townes.....	Nov. 12, 1863	Gov. Murrah.....	Nov., 1863	Resigned May 2, 1865.
Chas. R. Pryor.....	May 2, 1865	Gov. Murrah.....	May 2, 1865	Went out of office with Gov. Murrah.
James H. Bell.....	Aug. 7, 1865	Gov. Hamilton.....	Aug., 1865	
John A. Green.....	Aug. 17, 1866	Gov. Throckmorton.....	Aug., 1866	
D. W. C. Phillips.....	Aug. 20, 1867	Gov. Pease.....	Aug., 1867	
J. P. Newcomb.....	Jan. 21, 1870	Gov. Davis.....	Jan. 21, 1870	
George Clark.....	Jan. 17, 1874	Gov. Coke.....	Jan. 17, 1874	Resigned Jan. 27, 1874, to accept appointment of Attorney General on that date.
A. W. DeBerry.....	Jan. 27, 1874	Gov. Coke.....	Jan. 27, 1874	To succeed George Clark.
A. W. DeBerry.....	Apr. 28, 1876	Gov. Coke.....	Apr. 28, 1876	
J. G. Searcy.....	Dec. 7, 1876	Gov. Hubbard.....	Dec. 7, 1876	
J. D. Templeton.....	Jan. 23, 1879	Gov. Roberts.....	Jan. 23, 1879	
T. H. Bowman.....	Jan. 20, 1881	Gov. Roberts.....	Jan. 22, 1881	
J. W. Baines.....	Jan. 18, 1883	Gov. Ireland.....	Jan. 18, 1883	
J. W. Baines.....	Jan. 21, 1885	Gov. Ireland.....	Jan. 22, 1885	
John M. Moore.....	Jan. 20, 1887	Gov. Ross.....	Jan. 21, 1887	
John M. Moore.....	Jan. 15, 1889	Gov. Ross.....	Jan. 17, 1889	
Geo. W. Smith.....	Jan. 21, 1891	Gov. Hogg.....	Jan. 22, 1891	
Geo. W. Smith.....	Jan. 21, 1893	Gov. Hogg.....	Jan. 23, 1893	
Allison Mayfield.....	Jan. 16, 1895	Gov. Culberson.....	Jan. 17, 1895	Resigned Jan. 5, 1897.
J. W. Madden.....	Jan. 5, 1897	Gov. Culberson.....	Jan. 5, 1897	To succeed Mayfield.
D. H. Hardy.....	Jan. 18, 1899	Gov. Sayers.....	Jan. 18, 1899	
John G. Tod.....	Jan. 17, 1901	Gov. Sayers.....	Jan. 19, 1901	

## STATE REVENUE AGENT.

Joe Lee Jameson, State Revenue Agent; salary \$2,000 per annum. In addition to salary, the appropriation for the two years ending August 31, 1903, allows a total of \$1,000 for traveling expenses and \$200 for stamps and stationery for this office.

Mr. Jameson's latest biennial report is dated December 1, 1900, and covers the years 1899 and 1900 to that date.

After stating that in 1894 there were thirty-five counties in which local option was in force over the whole, or a portion of their limits, he says:

EXECUTIVE DEPARTMENT,  
AUSTIN, Feby. 20, 1846.

To Charles Mariner, Esq.

SIR: You are hereby appointed and authorized to discharge the duties of Acting Secretary of State of the State of Texas until the Secretary hereafter to be appointed assumes the duties of his office.

I have the honor to be,

Your ob't servt.,  
J. PINCKNEY HENDERSON.

"There are 224 organized and nineteen unorganized counties in the State. Of the 243 counties, 107 contain no local option districts. Thirty-six are now entirely prohibition; in 100 counties local option partially prevails; in thirty-seven of the 100 no liquor is permitted to be sold in more than half of the county, leaving sixty-three with one or more local option precincts. In many counties the sale of liquor is prohibited except at the county site. The map given elsewhere in this report shows the proportionate area of the State of Texas in which prohibition prevails. From the data collected the local option precincts could not in every instance be located in proper geographical shape and position, but the correct proportion of local option territory is given in each county. In local option districts dealers in malt tonic, hop ale and similar drinks (said not to be intoxicating) pay license to the United States government as malt liquor dealers. Under the present law we cannot tax them, and even in counties where local option does not exist beer dealers often evade the tax by pretending to sell only hop ale, etc., etc. A specific tax of \$50.00 for State and \$25.00 for county (the present tax on beer dealers) should be placed upon dealers in malt tonic, hop ale and drinks of like character, whether intoxicating or not, and it should be levied in every county, local option or otherwise. Now, protected from interference by United States authorities by the payment of the Federal license tax, many 'blind tigers' are operated in local option districts. In these places liquor is usually sold, but when the owner of one is indicted, he is generally able to prove that he only dispenses the harmless drinks mentioned above. He, therefore, escapes the penalty and continues his business. The State derives no revenue whatever from these establishments, which require equal or more attention from our peace officers than does the open saloon."

The following statement is made of occupation taxes collected from liquor and beer dealers: Year ending April 30, 1897, \$608,500; year ending April 30, 1898, \$646,150; year ending April 30, 1899, \$659,800; year ending April 30, 1900, \$675,800.

The following table shows the receipts from occupation taxes of all kinds collected by tax collectors and the Comptroller and Treasurer during the seventeen years specified:

For year ending June 30, 1884.....	\$ 673,409 00
For year ending June 30, 1885.....	774,758 00
For year ending June 30, 1886.....	681,348 45
For year ending June 30, 1887.....	634,910 40
For year ending June 30, 1888.....	648,554 80
For ten months ending April 30, 1889.....	619,139 51
For year ending April 30, 1890.....	660,157 80
For year ending April 30, 1891.....	848,033 94
For year ending April 30, 1892.....	956,641 61
For year ending April 30, 1893.....	1,007,519 75
For year ending April 30, 1894.....	986,434 32
For year ending April 30, 1895.....	885,202 15
For year ending April 30, 1896.....	869,175 87
For year ending April 30, 1897.....	954,442 50
For year ending April 30, 1898.....	1,116,098 55
For year ending April 30, 1899.....	1,101,074 87
For year ending April 30, 1900.....	1,123,506 96

In transmitting the report to the Governor, he says:

"It was my earnest desire to visit every county in the State during the two years, but it has been impossible. The larger counties, where the county officers cannot be familiar with the names and places of business of all occupation tax-payers, have received most attention. My duties as a member of the Tax Commission occupied much of my time during 1899.

"Lists of all Federal occupation tax-payers, liquor dealers, etc., etc., have been copied from the records of the United States internal revenue collectors in Texas, and the tax collectors have been regularly furnished by me with the names and postoffice addresses of those who pay Federal occupation taxes in their respective counties. This information alone causes the collection of several thousand dollars of revenue each year that would otherwise not be collected.

"Although local option now prevails over a large portion of the State, there has been collected from liquor dealers during the past two years \$1,335,600, which is an increase of \$80,950 over the two years preceding.

The tax collectors, sheriffs, county clerks and prosecuting attorneys have, as a rule, co-operated most heartily with me in the enforcement of our tax laws.

"The Twenty-sixth Legislature increased the duties and responsibilities of the Revenue Agent, but did not provide the deputies recommended by my predecessor. Under the authority of the law as amended it has been necessary to make numerous examinations and investigations of institutions and departments, many of them requiring several days each. At such times and when away from Austin on official business, mail accumulates, and important matters pertaining to the office are often neglected. The official correspondence, if properly attended to, would require the entire time of the Revenue Agent.

"A deputy to stay on the road continually in North Texas, and one to perform a similar service in South Texas, could be of great assistance to the county collectors, and the results would pay their expenses many times over. An expert accountant to frequently examine, under the direction of the Revenue Agent, the records and accounts of the twelve State departments and sixteen institutions (educational, eleemosynary and penal) would greatly facilitate the work of this office.

"In July, 1900, you transmitted to me the names of 555 foreign and 1,810 domestic corporations which had been furnished you by the Secretary of State, with the information that they were franchise tax delinquents. I was directed by your Excellency to 'investigate the corporations named and to secure as promptly as possible the payment of such taxes as may be lawfully due from each and all of them.' \* \* \*

"The names of all delinquent foreign corporations that continue to operate within the State, and of domestic corporations that are conducting their business, although in arrears, will be furnished the Attorney General that he may bring suit to recover the taxes due and to forfeit the charters.

"The State is to be congratulated upon the businesslike methods which now prevail in the financial transactions of the various departments and institutions under your administration. This is due, not alone to the efficiency and fidelity of those whom you have placed in charge, but to your own thorough knowledge of the practical workings of institution and department affairs, and your watchful and painstaking supervision."

The Twenty-seventh Legislature failed to make provision for the deputies and expert accountant suggested by Mr. Jameson. The reason for such failure was, in all probability, the fact that, in view of the supposed uncertainty of the amount of revenue that would be available for the support of the State government, that Legislature adopted and rigidly adhered to the policy of not creating new offices, or clerical positions, and of limiting all appropriations to amounts that would barely cover the absolute needs of the several departments, institutions, and special officers.

The Twenty-eighth Legislature may be differently situated and proceed upon a different principle.

#### STATE REVENUE AGENT.<sup>1</sup>

	Appointed.	Qualified.	Remarks.
R. S. Harrison.....	June 13, 1891	June 13, 1891	
R. S. Harrison.....	July 21, 1893	July 21, 1893	
W. B. Page.....	Feb. 7, 1895		Resigned.
O. R. Morrison.....	May 1, 1895		Vice Page.
O. R. Morrison.....	Jan. 22, 1897		Resigned April 20, 1898.
O. B. Colquitt.....	Apr. 21, 1898		
Joe Lee Jameson .....	Jan. 18, 1899	Jan. 19, 1899	
Joe Lee Jameson .....	Jan. 17, 1901	Jan. 19, 1901	

#### STATE LIBRARY.

The Council of the Provisional Government of Texas, on January 3, 1836, passed a resolution to provide "an useful library of law books, civil and political history, political economy, etc., for the use of the Provisional Government." The list of books recommended were:

1. Civil law books: Corpus Juris Civilis; Code de Napoleon.
2. American works: Constitution of the United States; constitutions of the several States; laws of the United States; Kent's Commentaries; journals and debates of Congress; life and writings of Thomas Jefferson; history of the United States.
3. Common law books: Blackstone's Commentaries; Viner's Abridgment; Sidney on Government.

Three years later the Third Congress of the Republic voted \$10,000 to be expended by President Lamar in the purchase of suitable books for the government of Texas.

Owing to the desperate condition of the public finances, little or nothing came of this appropriation. And it could scarcely be said that the Republic of Texas had a library outside of a few books on law and politics.

Under the State government, however, the Second Legislature, March, 1848, adopted a system for the exchange of State publications with the other States and Territories of the Union and further enacted that the Secretary of State safely keep all books, maps, charts or publications received by exchange at his office; the same to constitute a State library. And it was to be under the control of that officer subject, however, to the inspection and use of all officers of the State government, and both branches of the Legislature.

<sup>1</sup>Office created by an act of the Twenty-second Legislature approved April 13, 1891. Mr. Jameson resigned March 1, 1902, and was succeeded on that day by Judge J. D. Cunningham, of Kaufman county.

After the lapse of eight years, the Legislature, in 1856, appropriated \$5,000 for the purchase of books for the State library, to be selected by Governor Pease, an intelligent man of scholarly habits.

The office of State Librarian was created in 1866, just after the close of the Civil war, with an annual salary of \$1,000 attached to it. Robert Josselyn, quondam private secretary of President Davis, was appointed State Librarian by Governor Throckmorton, but removed in less than a year with the other State officers by Gen. Sheridan as an impediment to reconstruction.

According to Mr. Josselyn's catalogue made soon after his induction into the office, there were then 5,427 volumes in the State library. A considerable part of this collection consisted of publications by the Federal government and the several States.

In 1876 the State library was placed in the Department of Insurance, Statistics and History. Subsequent meager appropriations by the successive Legislatures, and additions on the exchange list, swelled the number of volumes in the State library to about 8,000 in 1881. In November of that year the whole collection was destroyed by fire, with the capitol building. Among the books in the library at the time of the conflagration were Lord Kingsborough's Collection of Mexican Antiquities and 120 volumes of Debates in the English Parliament, and among the bound files of newspapers were several volumes of *Diario Gobierno*, or the official journal of the Mexican government, and *El Correo Atlantico*, a newspaper published in the City of Mexico.

It was almost a decade before the new capitol was finished and made ready for occupancy by the State officials, and during all this time the library had scarcely any recognized existence and nearly all the documents added were by the exchange system and from the Federal government.

In 1891, the work of rehabilitating the State library may be said to have fairly begun. Since that time appropriations for the State library have been as follows: Hogg's administration, for books, \$2,600; for historical data, \$1000. Culberson's administration, for books, \$1,100; for historical data, \$1,300. Sayers' administration, for books, \$1,900; for historical data, \$800.

From 1891 to 1895 C. W. Raines was the historical clerk and *de facto* State Librarian. He was succeeded in January, 1895, by Eugene Digges, who held the office till his death in June, 1899. C. W. Raines, the present Librarian, was appointed as Digges' successor.

The State library now numbers about 23,000 volumes, bound and in pamphlet. Of these the publications of the Federal government and of the several States and Territories comprise fully four-fifths. Without these, the books of the State library do not exceed 4,000 volumes

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## L. J. STOREY, MEMBER OF THE STATE RAILROAD COMMISSION.

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Judge Storey has served as a member of the Commission since November 21, 1894. He was appointed to the position by Governor Hogg November 14, 1894, to fill a vacancy caused by the resignation of Judge W. P. McLean; was reappointed by Governor Culberson April 29, 1895;

was elected November 3, 1896 (the office having been made elective by constitutional amendment), and was re-elected in 1900.

His work as a member of the body, while including participation in the disposition of all business despatched, has mainly consisted in passing upon the legal points involved in the various questions the Commission has been required to pass upon and the action in relation thereto that could be taken in accordance with law, and it is but just to him to say that in every instance in which his judgment has been followed and appeals therefrom have been had to the courts of last resort, he has been sustained.

He is a hard worker and appears at his desk as regularly and works there as industriously as any clerk employed by the Commission.

His services as a member of the Commission have been unremitting and of great value.

He was born in Chattooga county, Georgia, October 6, 1834, and is of Irish and Scotch lineage. His ancestors came to America in early colonial days. His great-grandparents took part in the Revolutionary war of 1775-1783, and his grandfather and father in the war of 1812-1815.

His father, Col. John T. Storey, was born in Virginia July 1, 1796, and was married to Miss Lucy McLester, of North Carolina, in 1818. She was the mother of Judge Storey, and a sister of the late Capt. Harvey McLester, long a resident of Bastrop, and later of Austin, Texas. Soon after his marriage, Col. John T. Storey moved to Jackson county, Georgia; afterwards (in 1833) moved to a place on Chattooga river, three miles north of Summerville, and about thirty miles west of Rome, in what was then the Cherokee Nation, but is now Chattooga county; represented that section in the Georgia Senate several terms prior to 1844; commanded the regiment that moved the Cherokees to the west of the Mississippi in 1838; visited Texas in 1839 and bought land near Seguin; removed to the then Republic in 1845, shortly before it surrendered its separate nationality and became a State of the Union; settled first in Gonzales county and later, in 1847, at Lockhart, then known as Lockhart Springs, in what is now Caldwell county; joined, with three of his sons<sup>1</sup> in 1846, a company of rangers commanded by Gen. Henry E. McCulloch and was elected and served as its lieutenant; and August 7, 1858, was elected the first county judge of Caldwell county. His death occurred at Lockhart, Texas, on the 12th day of November, 1858; and that of his wife at Lockhart, on the 15th day of August, 1874.

Judge L. J. Storey completed his literary education at Austin College, Huntsville, Texas; read law in the office of Rogan & Whitis, at Lockhart, in 1857-1858; was admitted to the bar in October, 1858; practiced law for twenty-eight years thereafter as a member of the firm of Nix & Storey (his co-partner being Capt. J. Nix); and later practiced from 1886, as the senior member of the law firm of Storey & Storey, until appointed a member of the Railroad Commission in 1894.

He assisted in raising the first company from Caldwell county that was mustered into the Confederate army. The company was Company

<sup>1</sup>Two of the sons died in 1846 while members of the company. The other, Capt. E. F. Storey, went to California in 1853, and thence to Nevada, where he was killed in 1860 in an engagement with Piute Indians while he was commanding a company organized to pursue and chastise them for outrages committed on the settlements. He is buried at Virginia City.

B, Twenty-sixth Texas Cavalry, Gen. X. B. De Bray's brigade. With it he saw active service in Texas and Louisiana, taking part in the battle of Galveston, Texas, and the principal engagements in Louisiana from the battle of Mansfield to the close of the Red River campaign. The family was well represented in the field. Capt. James G. Storey, of San Marcos, now his only living brother, commanded a company in Wood's regiment; another, Col. R. L. Storey, commanded a Georgia regiment, and his youngest brother, H. E. Storey, was a lieutenant in Terry's Texas Rangers and was mortally wounded at Shiloh, dying a few days later.

Judge Storey was appointed special judge of the district court of Blanco county by Governor Coke, to try cases in which the presiding judge was disqualified and was twice appointed special judge of the Court of Civil Appeals at Austin to preside in cases in which Judge Fisher was disqualified.

He was a member of the Legislature for ten years, from 1873 to 1883—four years in the House, four in the Senate, and two years as Lieutenant-Governor. He was elected Lieutenant-Governor November 2, 1880, Hon. O. M. Roberts being elected at the same time for a second term as Governor.

Judge Storey was married April 19, 1859, to Miss Lou J. Ellison, daughter of Col. Jonathan Ellison, of Caldwell county, and has nine living children, three sons and six daughters—all married except the three youngest daughters.

He is a member of the Masonic fraternity, American Legion of Honor, and O. S. Presbyterian church.

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### ALEX. E. SWEET.

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Alexander E. Sweet, founder of *Texas Siftings*, and well known as a writer of humor, died May 20, 1901, at his home in New York City, of heart disease, from which he had suffered for several years.

He was born in St. Johns, N. H., March 28, 1841, and was taken to San Antonio, Texas, in 1849, by his father, George H. Sweet, who was later elected mayor of that city and who, during the war between the States, served as a colonel in the Confederate army.

Alex E. Sweet was sent to school at Poughkeepsie, N. Y.; went to Europe in 1859 and entered the Polytechnic Institute, at Carlsruhe, from which he subsequently graduated; returned to Texas in 1863 and enlisted in the Thirty-third Texas Cavalry, Confederate army, with which he served until the close of the war; later read law and was admitted to the bar and for several years practiced law in San Antonio; became editor of the *San Antonio Express* in 1879 and while so serving, was elected city attorney of San Antonio; was afterwards editor of the *San Antonio Herald* and San Antonio correspondent for the *Galveston News*; subsequently became an associate editor of the *Galveston News* and originated on that paper a column of humorous sayings entitled "Texas Siftings" that acquired an immediate and truly remarkable popularity; and in May, 1881, moved to Austin, where, with Wm. O'Leary and J. Amory Knox as associate editors, and Frank P. Holland (present editor of *Texas Farm and Ranch*) as business manager, he began the publi-

cation of *Texas Siftings*, a weekly humorous paper. The *Siftings* was transferred to New York City in 1884 and was published there for twelve years. Mr. Sweet returned to Texas in 1895 and started the *Texas Sifter* at Dallas, which was discontinued a year later. He then resumed his residence in New York, where he became associate editor of the *Tammany Times*, contributing the "Bill Snort" letters to that publication. Another pseudonym of his was the "Rev. Whangdoodle." His most widely known work is "On a Mexican Mustang Through Texas," published in 1883.

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### GEORGE R. TABOR, STATE HEALTH OFFICER.

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George R. Tabor was born in Caldwell county, Texas, August 30, 1864. His great-grandfather was a lieutenant in the patriot army during the American revolution; his grandfather a circuit judge in Mississippi; and his father major of the Sixteenth Texas Infantry, C. S. A., during the war between the States and in later years mayor of Bryan.

All of Dr. Tabor's family are Democrats and Southern born.

His wife's parents are old settlers of Denton and identified with the best interests of that section of the State. Her father was a soldier in the Confederate army and is a Democrat.

The Doctor's parents, Major John W. and Mrs. Martha J. (Anderson) Tabor, Alabamians by birth, came to Texas in 1858 and resided in Caldwell county until 1866, when they moved to Bryan, Brazos county, where his father died, January 24, 1901, and his mother is still living.

Dr. Tabor completed his literary education at the Agricultural and Mechanical College of Texas, read medicine at Bryan under Dr. D. Port Smythe; attended lectures at Louisville (Ky.) Medical College in 1886-1888, graduating from that institution with distinguished credit in 1888, and at once engaged in the practice of his profession at Bryan, where he has since resided; is a member of the Texas State and Brazos Valley Medical Associations, and of the State Health Officers' Association; is President of the Brazos Valley Medical Association and a member of the judicial council of that organization; has contributed numerous valuable papers to medical literature; was health officer of Brazos county for two years, and has made a special study of all matters pertaining to the isolation and treatment of contagious and infectious diseases, sanitation and quarantine; is a member of the Baptist church and K. of P. fraternity; was married at Denton, Texas, in 1892, to Miss Virginia Williams, daughter of C. A. Williams, of that place, and has one child, a son, five years of age, and is a physician, surgeon and gentleman of the highest standing.

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### ANNUAL MEETING OF THE TEXAS VETERANS' ASSOCIATION AND DAUGHTERS OF THE REPUBLIC OF TEXAS.

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The Texas Veterans' and Daughters of the Republic of Texas Associations convened in annual session at Austin, Saturday, April 20, 1901, and adjourned Monday, April 22. Saturday morning Hon. Guy M. Bryan, President of the Texas Veterans' Association, called that organi-



zation to order in the auditorium of the University, which was well filled with citizens and visitors. In the absence of Rev. Rufus C. Burleson, Chaplain of the Association, Rev. C. Polk Goodson delivered the opening prayer. He was followed by Hon. R. E. White, mayor of the city, in an address welcoming the Veterans and the Daughters of the Republic to Austin, and by President W. L. Prather and J. W. Dibrell welcoming them to the University. These addresses were responded to by ex-Governor F. R. Lubbock on behalf of the Veterans and by Mrs. Nellie Stedman Cox on behalf of the Daughters of the Republic.

"The Veterans convened for their afternoon session in the Hall of the House of Representatives at the capitol. The walls and edges of the gallery were beautifully decorated with red, white and blue bunting, and at intervals small flags were suspended, each bearing a name suggestive of some stirring event in Texas history—"Colito," "Velasco," "Nacogdoches," "Gonzales," "Goliad," "Concepcion," "Grass Fight," "San Patricio," "Refugio," "San Antonio," "Alamo," and "San Jacinto." Above the Speaker's stand was a mass of small flags—French, Spanish, Mexican, Texan, United States, and Confederate."

The following Veterans were in attendance: Miles S. Bennett, J. T. Chamberlain, S. H. Darden, John Darlington, J. R. Fenn, A. G. Follett, T. N. Gentry, H. N. Gentry, J. M. Hill, T. B. Howard, O. P. Harrison, John Johnson, J. J. Jergins, F. R. Lubbock, I. D. Parker, J. H. Reagan, S. F. Sparks, Jacob Smith, Wilson Willingham, J. W. Winters, W. P. Zuber, B. F. Highsmith, W. R. Wills, T. C. Thompson and J. B. Hall; and the following, among other, ladies: Mesdames W. N. Gentry, J. M. Hill, T. J. Hunter, O. P. Harrison, J. H. Reagan, Jacob Smith, Washington Anderson, R. R. Brown, W. R. Wills, John Embree, S. H. Darden, M. A. Deyer, L. C. Dunbaugh, J. R. Fenn, Rebecca J. Fisher, T. N. Gentry, J. W. Harbour, Eviline Hogan, Mary Holmes, F. R. Lubbock, M. W. Moody, Mary Maxwell, O. M. Roberts, E. A. Ragsdale, G. W. Petty, Reuben Brown, L. P. Moore, J. C. Scarbrough, O. T. Tyler, F. A. Tibbles, S. E. Whipple, Alfred Wood, W. P. Zuber, J. J. Jergins and N. C. Wright, and Miss Mary J. Lane.

The following Veterans were reported as having died since the annual meeting in 1900: Jackson Crouch, John Atkinson, Robert Price, S. S. Munger, Dr. J. W. Lockhart, J. W. Mitchell, John Balch, Mrs. John Adiance, Mrs. T. S. McKinney, Charles Fordtran, Mrs. W. F. Sparks, P. W. Barber, Mrs. S. F. Sparks, B. F. Winters, Harvey Mitchell, J. W. Harbour and B. F. Highsmith.

Messrs. Darden, Zuber, Howard and Thompson, appointed for that purpose, reported suitable resolutions in memoriam, that were adopted.

All the officers of the Association were re-elected to serve during the ensuing year: Guy M. Bryan, President; J. M. Hill, First Vice-President; George W. Petty, Second Vice-President; Stephen H. Darden, Secretary; F. R. Lubbock, Assistant Secretary, and Treasurer; J. R. Fenn, Marshal; and Dr. R. C. Burleson, Chaplain.

Proceedings, Monday, April 22: Texas Veterans' Association called to order by President Guy M. Bryan; invocation by ex-Governor F. R. Lubbock, at request of the President; music by the pupils of the State Institute for the Blind; celebration of San Jacinto Day (April 21st); oration of the day, by Hon. A. W. Terrell, of Austin; address by Hon. Carlos Bee, of San Antonio, to the Daughters of the Republic of Texas; acceptance of an invitation to hold next annual convention of the Texas

Veterans' Association and Daughters of the Republic of Texas at Lampasas, extended by Hon. Walter Acker, mayor of that city; passage of resolutions reported by the Committee on Resolutions; adoption of preamble and resolutions relative to the organization of an "Association of the Sons of Veterans"; adjournment, to meet in Lampasas in twenty-ninth annual reunion, April 21, 1902. [See article, "Daughters of the Republic of Texas."]

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### T. C. THOMSON.

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Capt. T. C. Thomson died at his home, 405 West Seventh Street, Austin, Texas, at 10:30 a. m., Friday, October 11, 1901, after a few hours illness. Religious services were held at the residence at 8:30 a. m. Sunday, and at 10 a. m. the family and friends accompanied the remains to Grelow Prairie, making the journey on the I. & G. N. Ry., and there laid them tenderly and reverently to rest in the family burial ground. Capt. Thomson left a wife and three sons: Thad. A., Horace A. and Rector M. Thomson. The sons were at their ranch below San Angelo, Texas, when notified of the decease of their father and the funeral was delayed until their arrival.

In commenting upon the death of Capt. Thomson, the *Austin Daily Statesman* said: "Capt. Thomson was one of the oldest settlers in Texas, having lived seventy years in the State. He was an honored citizen, an affectionate husband and father, and a devoted member of the Methodist church"—all of which is most true—he was a most excellent gentleman, of that manner of men who constitute, as it were, the pillars that support the fabric of society and who from the beginning have held fast and transmitted the good of each succeeding age.

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### JOHN G. TOD, SECRETARY OF STATE.

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John G. Tod is a native Texan, born at Richmond, this State, June 14, 1864, the son of John and Mrs. Abigail F. Tod.

His grandfather, William Tod, of Scotland, emigrated from the vicinity of Edinburg to America in 1800 and settled with his family near Lexington, Ky.

His father, John G. Tod, was born in Kentucky; left Lexington when seventeen years of age and, proceeding down the Mississippi on a flatboat to New Orleans, enlisted in the Mexican navy as a midshipman under Admiral Mina; was, two years later, through the influence of Henry Clay, appointed midshipman in the United States navy and transferred to that service, in which he rose to more important grades and, when Texas was engaged in her struggle for independence, entered the Texas navy. He was for some time commandant of the navy yard at Galveston, and on several occasions was sent to the United States on important missions connected with the Texas naval establishment, and discharged the duties of the trusts with a zeal and ability that secured the highest commendations.

His mother was a daughter of James M. West, of Lewes, Del., whose

progenitors crossed the seas from the ancient home of the family in England and settled in Delaware in 1700.

Judge Tod received a good education in the schools of Harris county, Texas; later graduated from the law department of Yale College; actively engaged in the practice of law at Houston from 1885 to 1892; was county judge of Harris county from 1892 to 1896, and was then elected district judge of the Eleventh judicial district. Shortly after the expiration of his term as district judge he was tendered by Governor Sayers and accepted appointment to the office of Secretary of State, in January, 1901.

He was united in marriage to Miss Osceola Ella Morriss, of Harrisburg, Texas, June 11, 1900, and has two children.

He is Past Master of Gray Lodge, A. F. and A. M.; Past High Priest of Washington Chapter, R. A. M.; Past Eminent Commander of Ruthven Commandery, K. T.; a York and Scottish rite Mason, and member of the Woodmen of the World fraternity.

### TREASURY DEPARTMENT, STATE.

John W. Robbins, Treasurer; R. C. Roberdeau, Chief Clerk.

Appropriation for the support of the department for the six months ending August 31, 1901, \$5,872.50; for the two years ending August 31, 1903, \$23,840.

The work of the department is performed by the Treasurer, Chief Clerk, eight bookkeepers, and nine assistant clerks.

"The treasury," says Mr. Robbins in his annual report, dated November 1, 1900, "is divided into two branches: the cash office, which receives and disburses all public funds and keeps all State accounts; and the land department, in which is kept all accounts for sale and lease of school, University, and asylum lands. \* \* \* The land business done by this department has grown to enormous proportions. \* \* \* The work in the cash department has increased four hundred per cent. in the last ten years."

The report shows:

Cash balance on hand September 1, 1899.....	\$ 3,313,681 23
Cash receipts during year, including transfers.....	7,778,835 53
	<hr/>
	\$11,092,516 76
Cash disbursements during year, including transfers....	8,153,393 54
	<hr/>
Cash balance on hand September 1, 1900.....	\$ 2,939,123 22
Total cash receipts and disbursements during the fiscal year beginning August 31, 1899, and ending September 1, 1900.....	\$15,932,229 07
His annual report for the fiscal year ending September 1, 1901, shows:	
Cash balance on hand September 1, 1900.....	\$ 2,939,123 22
Receipts during the year, including transfers.....	7,947,318 20
	<hr/>
	\$10,886,441 42
Cash disbursements during the year, including transfers..	8,307,022 21
	<hr/>
Cash balance on hand September 1, 1901.....	\$ 2,579,419 21

Total cash receipts and disbursements for the fiscal year beginning August 31, 1900, and ending September 1, 1901.....	\$16,254,340 41
Permanent school fund (cash, bonds, notes and leases) September 1, 1900.....	\$36,084,356 53
Estimated income from the fund for the fiscal year ending August 31, 1901.....	1,235,775 05
Permanent school fund, September 1, 1901.....	38,400,632 17
Estimated income from same for the fiscal year ending August 31, 1902.....	1,284,242 88
Available school fund, September 1, 1900.....	253,379 68
Available school fund, September 1, 1901.....	133,844 48
Total bonded debt, State of Texas, September 1, 1900...	3,989,400 00
Total bonded debt, State of Texas, September 1, 1901...	3,989,400 00
Said debt is owned and held as follows:	
Permanent school fund, State of Texas.....	\$ 2,184,100 00
Permanent University fund, State of Texas.....	579,700 00
Agricultural and Mechanical College fund, State of Texas .....	209,000 00
Blind Asylum fund, State of Texas.....	115,500 00
Deaf and Dumb Asylum fund, State of Texas.....	61,000 00
Lunatic Asylum fund, State of Texas.....	111,700 00
Orphan Asylum fund, State of Texas.....	11,200 00
Bonds owned by individuals.....	717,200 00
Total .....	\$ 3,989,400 00

The following is a complete list of

#### STATE TREASURERS.

	Elected by the Legislature.	Elected by the people.	Appointed.	Qualified.	Remarks.
James H. Raymond.....	Feb. 24, 1846				
James H. Raymond.....	Feb. 7, 1848				
James H. Raymond.....		Aug. 5, 1850		Nov. 1, 1850	
James H. Raymond.....		Aug. 2, 1852			
James H. Raymond.....		Aug. 7, 1854		Nov. 22, 1854	
James H. Raymond.....		Aug. 4, 1856		Oct. 3, 1856	
C. H. Randolph.....		Aug. 2, 1858		Oct. 18, 1858	
C. H. Randolph.....		Aug. 6, 1860		Oct. 24, 1860	
C. H. Randolph.....		Aug. 4, 1862		Oct. 7, 1862	
C. H. Randolph.....		Aug. 1, 1864		Oct. 22, 1864	
Samuel Harris.....			Oct. 2, 1865		Appointed by Provisional Governor A. J. Hamilton.
M. H. Royston.....		June 25, 1866			Removed by Gen. Griffin Aug. 27, 1867.
John Y. Allen.....			Sept. 1, 1867		Appointed by Gen. Griffin.
G. W. Honey.....		Nov. 30-Dec. 3, 1869	May 6, 1870		Appointed Provisional Treasurer by Gen. Reynolds, and served as such until installed under the Constitution of 1869, after its acceptance by Congress.
(Honey was declared removed and the office vacated May 27, 1872, by Gov. E. J. Davis. After locking the doors Honey had left town, it was thought, as a defaulter.)					

## STATE TREASURERS—Continued.

	Elected by the Legis- lature.	Elected by the people.	Appointed.	Qualified.	Remarks.
B. Graham .....			May 27, 1872		Appointed by Gov. E. J. Davis.
(Graham served but a short time, as Honey returned and, on appealing to the courts, was declared entitled to the office. The charges preferred against Honey were not made good.)					
A. J. Dorn .....		Dec. 2, 1873		Jan. 20, 1874	
A. J. Dorn .....		Feb. 15, 1876		Apr. 25, 1876	
F. R. Lubbock .....		Nov. 5, 1878		Jan. 21, 1879	
F. R. Lubbock .....		Nov. 2, 1880		Jan. 18, 1881	
F. R. Lubbock .....		Nov. 7, 1882		Jan. 16, 1883	
F. R. Lubbock .....		Nov. 4, 1884		Jan. 16, 1884	
F. R. Lubbock .....		Nov. 2, 1886		Jan. 18, 1887	
F. R. Lubbock .....		Nov. 6, 1888		Jan. 15, 1889	
W. B. Wortham .....		Nov. 4, 1890		Jan. 20, 1891	
W. B. Wortham .....		Nov. 8, 1892		Jan. 17, 1893	
W. B. Wortham .....		Nov. 6, 1894		Jan. 15, 1895	
W. B. Wortham .....		Nov. 3, 1896		Jan. 19, 1897	
John W. Robbins .....		Nov. 8, 1898			
John W. Robbins .....		Nov. 6, 1900			

TREASURY, SECRETARIES OF, DURING THE REPUBLIC.<sup>1</sup>

Under President David G. Burnet:<sup>2</sup> Bailey Hardeman and Barnard E. Bee.

Under President Houston (first term):<sup>3</sup> Henry Smith.

Under President Lamar: Richard G. Dunlap, appointed December 13, 1838; James H. Starr, appointed May 25, 1839, to succeed Dunlap, who had been appointed minister to the United States; James W. Simmons, appointed September 30, 1840;<sup>4</sup> J. G. Chalmers, appointed January 30, 1841.

<sup>1</sup>The office of "Treasurer" was created by an ordinance of the General Council of the Provisional Government November 26, 1835. Joshua Fletcher was Treasurer under the Provisional Government.

<sup>2</sup>The office of "Secretary of the Treasury" for the Government *ad interim* was created by the Executive Ordinance passed by the Plenary Convention March 16, 1836.

<sup>3</sup>An act of the First Texas Congress, approved October 25, 1836, created the office of Secretary of the Treasury, and constituted the Secretary a member of the President's cabinet.

<sup>4</sup>An act of the Texas Congress approved February 5, 1840, for the organization of the Treasury Department provided that it should consist of a Secretary of the Treasury, who should be the head of the department; two auditors, a Comptroller, a Treasurer, a Commissioner of Revenue, and a Stock Commissioner. The auditors were required to examine all accounts not required to be examined by the Commissioner of Revenue; to certify and transmit the accounts, accompanied by vouchers, to the Comptroller for his approval, and to countersign and register all warrants drawn on the treasury by the Comptroller. The first auditor was required to pass upon accounts from the War Department, and the second auditor upon accounts from the Civil Department of the government. The Commissioner of Revenue was required to supervise the collection of revenue, prescribed forms and furnish blanks to the officers charged with the duty of assessing and collecting taxes, examine and record all returns sent in to him, keep accounts with the assessing and collecting officers, mail to each a dupli-

Under President Houston (second term): E. Lawrence Stickney, appointed *ad interim* December 13, 1841; Asa Brigham, appointed December 24, 1841; William Henry Daingerfield, appointed February 5, 1842; James B. Miller, appointed December 22, 1843.

Under President Anson Jones: W. B. Ochiltree, appointed December 14, 1844; resigned later and was succeeded by John A. Greer, who in turn was succeeded by Moses Johnson.

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### TRINITY UNIVERSITY, TEHUACANA.

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Trinity University is owned by and conducted under the direction of the Texas Synod of the Cumberland Presbyterian church, was founded in 1869, has had a successful career, and has performed a most important part in the work of higher education in the State. From the first it has been co-educational and its honors have been bestowed, without discrimination, upon representatives of both sexes according to merit. By recent action of the Synod, the location of the University has been changed from Tehuacana to Waxahachie. The Medical Department of the University is situated in Dallas.

The "Thirty-second Annual Announcement and Catalogue" of the University (1900-1901) contains the following, among much other interesting information:

Jesse Anderson, A. M., Ph. D., President of the University; Rev. P. M. Riley, Cleburne, President of the Board of Trustees; Jesse Anderson, Tehuacana; W. S. Aston, Farmersville; F. N. Drane, Corsicana; Seth W. Stewart, Fort Worth; R. T. Phillips, Ennis; Rev. J. W. Pearson, Tehuacana; Arthur Lowe, Brownwood; A. L. Barr, San Angelo; and John Karner, Mexia; Trustees. Total enrollment of the main University for the year ending May 15, 1901, 184; total enrollment for previous year, 137.

The Bachelor of Arts degree was conferred upon seven graduates, May 15, 1901, and at the same time the Bachelor of Letters degree was conferred on six graduates, and diplomas granted to two graduates in pianoforte and three graduates in elocution. The Saunders prize, \$50, for the year 1900-1901 for the student making the highest general average grade in studies of the first college year, was won by Ernest Anderson. The degree of Doctor of Divinity was conferred on Rev. J. V. Stephens, of Lebanon, Tenn., May 16, 1900.

Lawrence Ashton, M. D., is President of the Medical Department of the University.

In location, buildings, equipment, faculty and methods, scope and thoroughness of instruction, Trinity University is an institution of learning of firmly grounded reputation.

cate statement of account, and transmit the original to the Comptroller for settlement, and recorded all contracts made by the Secretary of the Treasury, by authority of law, for the erection of light houses, establishment of buoys and beacons, employment of revenue cutters in the customs service, etc.

In case of differences arising between the Comptroller and either of the auditors, or the Commissioner of Revenue, in regard to the settlement of any account, the matter in controversy was referred to the Secretary of the Treasury for final settlement. The offices of Commissioner of Revenue and Stock Commissioner were abolished by an act approved December 11, 1841. The number of auditors was reduced to one.

## UNITED CONFEDERATE VETERANS — TEXAS ORGANIZATION.

BY JOEL H. B. MILLER.

The organization of the United Confederate Veterans has been perfected in all of the Southern States that participated on behalf of States rights during the Civil War of 1861-65.

The Association was organized for social and historical purposes; socially, in order that the soldiers of the Confederate armies might keep touch with one another, and, historically, for the purpose of vindicating their conduct in severing the political ties that had bound together the Northern and Southern States and educating the youth of the Southern States in the principles of local self-government for which they had fought and illustrated on many battle fields the valor of the Southern soldier and the patriotism and heroic endurance of the Southern women in that great epoch of our history.

*The National Organization.*—Commander-in-Chief of the United Confederate Veterans, Gen. John B. Gordon, Atlanta, Ga.; Adj. Gen. and Chief of Staff, Maj. Gen. George Moorman, New Orleans, La.

*Department Army of Northern Virginia.*—Commander, Lieut. Gen. Wade Hampton, Columbia, South Carolina.

*Department Army of Tennessee.*—Commander, Lieut. Gen. Stephen D. Lee, Starkville, Miss.; Adj. Gen., Brig. Gen. E. T. Sykes, Columbia, Miss.

*Trans-Mississippi Department.*—Commander, Lieut. Gen. W. L. Cabell, Dallas, Texas; Adj. Gen., Brig. Gen. A. T. Watts, Dallas, Texas.

Official organ of the United Confederate Veterans: *The Confederate Veteran*.

Number of camps, 1,400; members, 65,000. Reunion for A. D. 1902, Dallas, Texas, April 22d, 23d, 24th and 25th.

*Texas Organization, U. C. V.*—Commander, Maj. Gen. K. M. Van Zandt, Fort Worth; Adj. Gen. and Chief of Staff, Col. S. P. Greene, Fort Worth; Asst. Adj. Gen., Lieut. Col. George Jackson, Fort Worth; Asst. Adj. Gen., Lieut. Col. I. B. Simpson, Dallas; Inspector Gen., Lieut. Col. Duke Goodman, Fort Worth; Asst. Ins. Gen., Maj. Joe Booth, Austin; Asst. Ins. Gen., Maj. Benj. Dabney, Bonham; Chief Quartermaster, Lieut. Col. E. Rotan, Waco; Asst. Quartermaster, Maj. E. M. Daggett, Fort Worth; Chief Commissary, Lieut. Col. J. Y. Rankin, Brownwood; Judge Advocate, Lieut. Col. George H. Gould, Palestine; Chief of Artillery, Lieut. Col. W. Kemp, El Paso; Chief of Ordnance, Lieut. Col. L. B. Flatau, Dallas; Division Historian, Lieut. Col. C. C. Cummings, Fort Worth; Chief Surgeon, Lieut. Col. J. B. Stinson, Sherman; Chief Paymaster, Lieut. Col. A. J. Baker, San Angelo; Chief Engineer, Lieut. Col. S. R. Etter, Greenville; Chaplain, Maj. Rev. H. Bishop, Waxahachie; Aides-de-Camp, Majors F. F. Collins, San Antonio; A. G. Adams, Marshall; W. A. Wortham, Greenville; W. E. Doyle, Mexia; S. W. Eastin, Jacksboro; T. F. Meece, Livingston; E. T. Ragnolds, San Marcos; J. G. Whitsit, Belton; M. L. Sims, Clarks-ville; Phil E. Fall, Houston; J. J. M. Smith, Houston; Jas. A. Harris, Wills Point; J. B. Littlejohn, Fort Worth; S. J. Darcy, Fort Worth; W. S. Holt, Howe; J. Maymont Smith, Belton; June Kimble, Eastland; J. C. Witcher, Bells; J. C. Richardson, Fort Worth; Toyler McRai.

Abilene. Brigade Generals: First Brigade, Brig. Gen. Beavans, Houston; Second Brigade, Brig. Gen. F. A. Hess, San Antonio; Third Brigade, Brig. Gen. W. H. McGregor, Cameron; Fourth Brigade, Brig. Gen. Chas. L. Martin, Dallas; Fifth Brigade, Brig. Gen. R. Cobb, Wichita Falls.

**Independent Confederate Organizations.**

*Terry Rangers.*—Organization for A. D. 1902: President, Geo. F. McGhee, San Marcos; First Vice-President, Ferg Kyle, Kyle; Second Vice-President, Curran Kyle, Kyle; Third Vice-President, John Hill, Smithville; Fourth Vice-President, W. N. Albright, San Marcos; Treasurer, Geo. W. Littlefield, Austin; Permanent Secretary, T. U. Lubbock, Houston; Corresponding Secretary, Sam Watkins, San Marcos; Chaplain, Rev. A. J. Harris, San Antonio. Reunion for 1902, San Marcos.

*The Tom Green Brigade.*—Organization for A. D. 1902: President, Thos. B. Collins; First Vice-President, W. A. Shaw; Second Vice-President, W. H. Browning; Third Vice-President, J. F. Riebe; Secretary, John Rankin; Treasurer, Fred B. Wade; Chaplain, Rev. G. W. Capps; Color Bearer, N. McNeal.

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## UNIVERSITY OF TEXAS.<sup>1</sup>

BY JOHN A. LOMAX, REGISTRAR OF THE UNIVERSITY.

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The University of Texas (William Lambdin Prather, LL. D., President) is a State institution, ordained by the Constitution, located by popular vote, endowed and maintained by legislative grants.

The idea of a university for Texas is as old as Texas. The Declaration of Texas Independence, March 2, 1836, has for one of the main counts in its indictment against the government of Mexico the following: "It has failed to establish any public system of education, although possessed of almost boundless resources (the public domain), and although it is an axiom in political science that unless a people are educated and enlightened it is idle to expect the continuance of civil liberty, or the capacity for self-government." In accordance with the doctrine thus proclaimed, the first Constitution of the Republic declares it to be the duty of Congress "to provide, as soon as circumstances will permit, \* \* \* a general system of education."

The first direct steps towards the founding of the University were taken by the Congress of the Republic in two acts passed during January, 1839. One of these provided for the setting apart of land for a campus in the future city of Austin. The other appropriated fifty leagues of the vacant lands of the Republic for the purpose of university education.

The establishment of the University was provided for by an act of the Legislature, February 11, 1858. The preamble of said act reads as follows: "Whereas, from the earliest time it has been the cherished design of the people of the Republic and of the State of Texas, that there shall be established within her limits an institution of learning for the instruc-

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<sup>1</sup>All of the historical matter relating to the University has been adopted by Mr. Lomax *verbatim* from the University Catalogue for 1900-1901. This he has supplemented, in conclusion, by statements of fact and observations necessary to a complete presentation of the subject.



tion of the youths of the land in the higher branches of learning and in the liberal arts and sciences, and to be so endowed, supported and maintained as to place within the reach of our people, whether rich or poor, the opportunity of conferring upon the sons of the State a thorough education, and as a means whereby the attachment of the young men of the State to the interests, the institutions, the rights of the State and the liberties of the people might be encouraged and increased, and to this end liberal appropriations have been made; and whereas, the increase of population and wealth of the State, and the tendency of events, indicate the fitness of now putting the cherished design into effect; therefore," etc. This act made provision for the endowment of the University by adding to the fifty leagues granted in 1839 one hundred thousand dollars in United States bonds, and one section of land out of every ten reserved for the use of the State by the various acts of the Legislature.

Provision was also made for the organization of the University, but was not carried out because of the Civil War and the unhappy era of Reconstruction. Indeed, under the exigencies of civil war, a large portion of the University endowment had been turned into the general revenue account and appropriated to the necessities of the State. But under direction of the Constitution of 1866 the Legislature refunded the amount previously diverted. The same Constitution provided that "the Legislature shall, at an early day, make such provision by law as will organize and put in operation the University"; but the times were unpropitious, and the organization was still delayed.

Provision for the organization and maintenance of the University was again made in the Constitution of 1876, as follows: "Sec. 10. The Legislature shall, as soon as practicable, establish, organize, and provide for the maintenance, support and direction of a University of the first class, to be located by a vote of the people of this State, and styled 'The University of Texas,' for the promotion of literature, and the arts and sciences, including an agricultural and mechanical department." This Constitution took away from the endowment the lands which had been added to it by the Act of 1858, and gave in lieu thereof 1,000,000 acres further west. It made the Agricultural and Mechanical College of Texas, which had been established a short time before and located in Brazos county, a branch of the University, and provided for the subsequent organization of another branch of the University for the instruction of the colored youths of the State. To the lands previously set apart and appropriated for the endowment, the Legislature in 1883 added one million acres.

The act of the Legislature providing for the organization of the University was passed in 1881. It provided for the location of the institution by popular vote, at the same time creating a Board of Regents, to whom was intrusted its organization and government. Among the provisions of the act affecting the policy of the University may be mentioned the limitation of the matriculation fee to thirty dollars, the admission of men and women on equal terms without charge for tuition, and the injunction that no religious qualification should be required for admission to any office or privilege connected with the University, and that no sectarian instruction be given therein.

By popular election in September, 1881, the Main University was located at Austin and the Medical Department at Galveston. Under authority of the Regents the Academic and Law Departments were

organized; and on the 15th of September, 1883, the University was formally opened in the University building, then incomplete and consisting of the west wing only. The exercises were conducted in the Temporary Capitol until the first day of January, 1884, when the rooms in the University building were occupied. The central part of the Main University building was completed in the fall of 1889. The John Sealy Hospital was donated to the University by the city of Galveston in 1890, to be used in connection with instruction given in the Medical Department. University Hall, Austin, the gift of Mr. George W. Brackenridge, was opened to students December 1, 1890. The Medical Department building at Galveston was completed in the summer of 1891, and the Medical School was formally opened in October of that year. The Chemical Building of the Main University was opened to students January 1, 1892. University Hall, Galveston, also the gift of Mr. Brackenridge, was completed in March, 1898. The east wing of the Main University building was completed in January, 1899.

#### **Government.**

The government of the University is vested in a board of eight regents, selected from different portions of the State, nominated by the Governor, and appointed by and with the advice and consent of the Senate. The members of the board are divided into four classes with reference to tenure, so that the terms of only two members expire at a time.

The Regents have power to establish the departments of a first-class university, to determine the officers and professorships, appoint the necessary administrative officers and instructors, regulate the course of instruction, and prescribe, by and with the advice of the professors, the books and authorities used in the several departments, confer such degrees and grant such diplomas as are usually conferred and granted by universities, and enact such by-laws, rules and regulations as may be necessary for the successful management and government of the University.

Subject to the authority and general direction of the Board of Regents, the President and the several faculties undertake the immediate government and administration of the University.

#### **General Policy.**

The University is the head of the State public school system. It admits as students without entrance examinations the graduates of approved State high schools, of the Sam Houston Normal Institute, and of the Agricultural and Mechanical College. Teachers holding first-grade State certificates are required to stand the entrance examination in History only. It is the policy of the University not only to provide the highest culture for the youth of Texas free of charge, but especially to promote in every possible way the development of the public schools.

#### **Co-education.**

The opportunities offered by the University in all its departments are open to both sexes on equal terms. The lady students have the advantage of daily conference with Mrs. Helen M. Kirby, who has been appointed by the Regents Lady Assistant in the Faculty.

#### **Attendance in Previous Years.**

The steady growth of the University can be best illustrated by a tabulated statement of attendance in previous years: 1883-84, 221; 1884-85,

209; 1885-86, 199; 1886-87, 245; 1887-88, 250; 1888-89, 278; 1889-90, 309; 1890-91, 283; 1891-92, 388; 1892-93, 353; 1893-94, 482; 1894-95, 630; 1895-96, 730; 1896-97, 751; 1897-98, 800; 1898-99, 800; 1899-1900, 1041; 1900-01, 1121; 1901-02, 1286.

In addition to the income from lands, interest on bonds, matriculation and other fees, the Twenty-seventh Legislature, at the Regular and the Second Called Session, appropriated for the repair, support, maintenance and extension of the University of Texas during a period of two and a half years, extending from March 1, 1901, to September 1, 1903, \$380,563. The amounts were distributed as follows: For the support and maintenance of the Main Department, at Austin, \$140,000; for a woman's building at Austin, \$50,000; for water supply at Austin, \$15,000; for the repair of Medical buildings destroyed by the Galveston storm, \$53,063; for the support and maintenance of the Medical Department, \$102,500; for a mineral survey of the State, under the direction of the Board of Regents, \$20,000.

There are two hundred and fifty young women in the University, and the building for them is soon to be built on the campus, the plans of the architect having been adopted.

The representative character of the student body may be shown by the fact that 147 counties are represented by the matriculates for the session of 1901-1902, whose parents follow forty-nine different occupations and trades. Two hundred and forty-eight students have earned the money they are expending on their education, and 148 are either wholly or partly defraying their expenses by work while attending the University.

The progress of the University along all lines is a matter of congratulation for every citizen of Texas. It stands now in the forefront among Southern universities and its influence and power for good are limitless in the future.<sup>1</sup>

## WHAT THE UNIVERSITY OF TEXAS IS DOING FOR TEXAS HISTORY.

BY GEO. F. GARRISON.

Had not this subject been formulated for me by the editor of the YEAR BOOK, I might have made it somewhat different, but I have thought best to accept it without change. The fact is that the University of Texas

<sup>1</sup>The following information is gathered from the University Catalogue, 1900-1901:

**BOARD OF REGENTS:** F. M. Spencer, Galveston; Beauregard Bryan, Brenham; R. E. Cowart, Dallas; G. W. Brackenridge, San Antonio; T. S. Henderson, Cameron; T. W. Gregory, Austin; H. M. Garwood, La Grange; Henry B. Marsh, Tyler.

The Board of Regents meets in Austin on the Tuesday before the third Wednesday of January and on the second Tuesday of June each year, and in Galveston during the last week of April.

**FACULTY:** Number of full professors Main University, 21; adjunct professors, 6; instructors, 13; fellows, 10; tutors, 7; student assistants, 10; librarian, 1; assistant librarian, 1; law library, 2 librarians; proctor and secretary of the faculty, 1; gymnasium director, 1; director gymnasium for women, 1; land agent, 1.

**FACULTY MEDICAL DEPARTMENT, GALVESTON:** Full professors, 10; lecturers, 2; demonstrators, 7; clinical instructor in nursing, 1; librarian, and secretary of the faculty, 1.

has, by its situation, a peculiar advantage for the cultivation of a historical field much wider than the State itself, or even the Republic. This field is the Southwestern; of which, however, the Texas portion is undoubtedly the most unique.

It can hardly be denied, I think, that the Southwest is less known, or, to say the least, less understood, than any other part of the Union. Northern and Eastern writers, while doing perhaps as much as could have been expected with the materials at their disposal, have treated its history only in the most superficial way. Nowhere except in the works of H. H. Bancroft has the subject been dealt with systematically; but, extensive as the series is that bears the name of this voluminous writer, one who gets into actual contact with the sources of Southwestern history is soon more impressed with what Bancroft has failed to do than with what he has done. In spite of the fact that he has availed himself of a larger and richer mass of Texas material than any other writer, there are several of the most important collections that he does not seem to have used at all. So it is substantially true that the history of the Southwest, and especially of Texas, is yet to be written.

The University of Texas is not undertaking to write this history, but it is trying to prepare the way. The task it has set itself at present lies in training and equipping capable students and directing their attention towards the subject; in finding and organizing the materials that still exist so as to make them available for research; and in so directing the investigations made under its auspices as to secure systematic co-operation. Each graduate student is assigned a small portion of territory, which he is expected to cover thoroughly, using every available document; and as each deduces his conclusions they are put in published monographic shape. When the whole ground is gone over in this way, and some one has been found who is fit by nature and education for the undertaking, then the whole can be synthesized, and the result will be a work in which the real nature and significance of the history of the Southwest will become apparent.

The following list of publications by those who have been special students of Southwestern history at the University of Texas will indicate, in a general way, the scope of their investigations:

L. G. BUGBEE—"The Old Three Hundred," in *The Quarterly of the Texas State Historical Association*, I, 108-117. "The Real Saint-Denis," *Ibid.*, 266-281. "Slavery in Early Texas," in *Political Science Quarterly*, XIII, 389-412, 648-668. "What Became of the Lively," in *The Quarterly of the Texas State Historical Association*, III, 141-148. "Some Difficulties of a Texas Empresario," in *Publications of Southern History Association*, III, 95-113. "The Texas Frontier, 1820-25," *Ibid.*, 102-121. "The Bexar Archives," in *University of Texas Record*, I.

W. F. McCaleb—"Some Obscure Points in the Mission Period of Texas History," in *The Quarterly of the Texas State Historical Association*, I, 216-225. "The First Period of the Gutierrez-Magee Expedition," *Ibid.*, IV, 218-229.

W. R. Smith—"The Quarrel Between Governor Smith and the Council of the Provisional Government of the Republic of Texas," *Ibid.*, V, 269-346.

E. C. Barker—"Difficulties of a Mexican Revenue Officer in Texas," *Ibid.*, IV, 190-202. "The San Jacinto Campaign," *Ibid.*, IV, 232-345.

"The Organization of the Texas Revolution," in *Publications of the Southern History Association*, V, 455-476.

E. T. MILLER—"The Connection of Peñalosa with the La Salle Expedition," in *The Quarterly of the Texas State Historical Association*, V, 97-112.

R. C. CLARK—"The Beginnings of Texas," *Ibid.*, 171-205.

Of these papers, that by Mr. Barker entitled "The Organization of the Texas Revolution" and those by Messrs. Smith, Miller and Clark were presented as theses for the M. A. degree. Mr. Bugbee's thesis was on "Austin's Colony," and that of Mr. McCaleb on the "Texas Missions." Neither of these has been published; but the growth of Mr. Bugbee's thesis into two extensive monographs, one on "Austin's Colony" and the other on the "Fredonian War," was prevented only by the failure of health which resulted in his death. Mr. McCaleb has been doing special work for some years on the Burr Conspiracy, and is expecting to publish in a short time a book on the subject.

Besides the papers given in the above list, Messrs. Bugbee, McCaleb, and Smith have published a number of reviews and minor articles.

Incidental to the cultivation of Texas history by the University has been the fostering of the State Historical Association. The authorities of the institution have done all they could to promote the interests of the Association in every respect. They have given it room in the building and have provided for the keeping of its collection, and the work required to keep it up is done there. By way of compensation, it has furnished a medium for the publication of meritorious work done by graduate students in the School of History.

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## UNIVERSITY OF TEXAS LIBRARY.

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The YEAR BOOK is indebted to Benjamin Wyche, Esq., Librarian of the University of Texas, for the following:

The library occupies the large room beneath the auditorium in the main building of the University and contains about 34,000 volumes. About 26,000 volumes are kept in this room, the remainder being deposited for convenience of the users in several departmental libraries. The largest of these, the law library, contains about 4,000 volumes. The general library is classified by the Dewey system, and its contents rendered more available by means of a card catalogue.

Care has been taken in the purchase of books, the needs of the various departments of instruction being kept constantly in view, not, however, to the exclusion of the best general literature.

The library has also been enriched by several donations, the most notable of these being the Palm collection, the gift of the late Sir Swante Palm, Swedish Consul at Austin. This valuable library contains about 10,000 volumes covering almost all branches of literature, and is especially rich in Swedish books, art books, travel, Texas history, etc. Several other donations have been received, the two larger being those of ex-Governor Roberts and J. B. Rosborough, Esq.

The library is managed by the Library Council, consisting of the President, Librarian and a committee from the Faculty. It is supported by annual appropriations by the Regents, supplemented by a small library

fee from each student. The income from these sources last year for books, binding and periodicals was over four thousand dollars.

The Regents and Faculty, realizing that the library should be the center of the intellectual life of the University, are enlarging and broadening its scope as rapidly as the limited funds will permit.

While the library is primarily for the University, yet it is open freely to the public for consultation. Hours of opening during the college term: 8:30 a. m. to 1 p. m.; 2 to 5 p. m.

#### **Library Class.**

To supply a growing demand for trained librarians and assistants, the University is offering a course in Library Training. The profession of librarian requires not only a good general education, but thorough technical training, and it is the aim of this course to supply the latter need. Texas is just waking up to the great importance of free public libraries, and it is believed that this course will contribute something toward starting them along right lines. Particulars may be obtained by applying to the University Librarian.

#### **State Library Association.**

An increasing interest in libraries throughout the State suggests the desirability of organizing a Texas State Library Association. There is much that can be done by co-operative effort in awakening interest in this important educational field.

A call for a preliminary meeting, signed by C. W. Raines, Mrs. P. V. Pennybacker and Benjamin Wyche, was sent out in December, 1901, and at that meeting, held on the 18th of December, it was decided to issue a call for a State Library Association. All librarians, trustees and others interested are invited to become members. It is expected that an organization will be effected in a few weeks.<sup>1</sup>

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## **VOLUNTEER GUARD.**

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In his biennial report to the Governor, November 24, 1900, Adjutant General Thomas Scurry says:

"At the beginning of your administration there were only three batteries of artillery, three companies of white infantry and a battalion of colored infantry, in the State armed and uniformed. Since that time the Texas Volunteer Guard has been reorganized, and now consists of one signal corps (four sections), one squadron (four troops) of cavalry, one battalion (three batteries) of artillery, four regiments (forty-six companies) of white infantry, one battalion (four companies) of colored infantry, and four bands. Of this number 2941 commissioned officers and enlisted men are armed, uniformed and partially equipped.

"\* \* \* The reorganization was affected as rapidly as possible, preference being given to applications from companies and troops formerly of the Texas Volunteer Guard that served in the U. S. Volunteer Army.

"The Act of the Twenty-sixth Legislature changed the regimental formation to twelve companies in three battalions instead of eight companies

<sup>1</sup>Meeting was held at the University June 8-9, 1902, and organization perfected.

in two battalions. The new act also created additional regimental officers, and the necessity of forming these new regiments created a new geographical position for each regiment. All general, field and staff officers were therefore honorably discharged from the service in order to effect a complete reorganization by appointing general and staff officers and by ordering an election of field officers.

"All field officers and officers of the Adjutant General's department and Inspector General's department were required to stand an examination with the exception of two field officers, who had been examined under the old organization, and who had served as field officers in the U. S. Volunteer Army, and who were detailed on the board of examiners.  
\* \* \*

"The scope of the examination is \* \* \* more comprehensive than ever before attempted in the Texas Volunteer Guard. Sixteen officers were examined on November 22, 1899, and eight officers have been examined since. Nearly all of these officers had served in the U. S. Volunteer Army. With very few exceptions these officers were far better prepared than was expected, and the results were very satisfactory, indeed.

"The only organizations in the State that own their own armories are as follows:

"Company A (Houston Light Guard), 1st Infantry, of Houston; valued at \$50,000.

"Company H (Jeff Davis Rifles), 2nd Infantry, of Jasper; valued at \$1,200.

"Battery A, 1st Artillery, of Dallas; valued at \$8,000.

"All other organizations rent their armories, except a few who have secured rooms in court houses. \* \* \*

He gives a report of work done at three camps of instruction, details of the service rendered by the Guard at Galveston after the storm, and much other interesting matter that will be noticed elsewhere in this volume in connection with the subjects to which they pertain.

"The experience of the past two years," says General Scurry, "has certainly given evidence that war comes unexpectedly, and it is almost criminal negligence for a State to permit its young men to go into the field without previous military training. During the Spanish-American War Texas furnished five full regiments of volunteers, or about sixty-five hundred officers and men. In addition thereto, the 1st U. S. Volunteer Regiment (Riche's Immunes) and about one battalion of Hood's Immunes was composed almost entirely of Texas volunteers. In addition to these, the regular army recruited a great many men from Texas, making a total of not less than ten thousand men furnished by the State. Nearly all of the officers, and about two thousand enlisted men of the volunteer regiments had previous training in the militia. This was about the force of the Texas Volunteer Guard prior to the war with Spain. \* \* \*

"Attention is invited to the fact that Texas stands thirty-seventh in the list of States and Territories with reference to appropriations made for the militia. Only nine States have a larger organized militia than Texas, and yet Texas stands forty-fourth in the list of States in reference to the *pro rata* amount appropriated per man.

"The efforts of this department have been to carry out the purpose of your Excellency to build up the Texas Volunteer Guard to the highest point possible."

He then directs attention to exhibits showing the marked improvement made.

Continuing further, he says: "\* \* \* I think it appropriate to state that a great number of the officers of the Texas Volunteer Guard volunteered with their companies for service in China when it seemed probable that a call for volunteers would be made by the President. Col. J. A. Styron, commanding Fourth Infantry, volunteered his entire regiment."

The Texas Volunteer Guard now consists of one signal corps (two companies), one squadron (three troops) of cavalry, one battalion (two batteries) of artillery, forty-three companies of white infantry, one battalion (four companies) of colored infantry, four military bands—a total of 2,927 officers and men.

The Volunteer Guard is supplied with the regulation U. S. Army uniforms, arms, accoutrements, and other requisites of the service by the United States government. The cavalry is armed the same as U. S. regular cavalry, the infantry with the latest improved, breech-loading, single fire Springfield rifles; Battery A with two Gatling guns and two 3-inch rifles; and Battery C with two 3-inch, breech-loading, rifled steel guns.

The annual appropriation for distribution to the various States and Territories, in proportion to representation in Congress, was \$400,000 prior to 1900, and in that year was increased to \$1,000,000, of which Texas is entitled to about \$32,000 a year—that is, the Governor can make requisitions upon the War Department for any kind of arms or equipments for the Guard to that value, at any time he may see fit. There is now to the credit of Texas \$15,938.06, the total due the State not having been drawn.

Texas congressional representation having been increased to eighteen (Senators and members of the House), the quota of arms and supplies due the State will be proportionately increased.

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### J. E. WALLIS, GALVESTON.

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This prominent and influential business man and distinguished citizen of Texas, whose labors have been productive of great and lasting good, not only to Galveston, with whose fortunes he has been identified for a greater number of years than the ordinary span of a lifetime, but to the entire State, was born in Morgan county, Alabama, in 1835, and came to Texas in the winter of 1848 with his parents, Maj. Joseph and Mrs. Elizabeth Crockett Wallis, who located at Chappell Hill, Washington county.

On his father's side he is descended from the famous Sir William Wallace of Scottish history, poetry and story. The name was changed to Wallis by an American ancestor of Col. Wallis, in North Carolina, as a result of confusion having arisen from so many bearing the name of Wallace, and it has since so remained in the Wallis branch of the family.

On his mother's side he is connected with some of the leading families of South Carolina and Alabama. His father before coming to Texas owned plantations in Mississippi and Alabama, and after locating in this State continued planting; was an active promoter of public enter-





*J. E. Wallis*



prises; was one of the projectors and, in connection with associates, began the construction of what are now the main line and western branch of the Houston & Texas Central Railroad; was a ripe scholar and an accomplished and forcible writer, whose many published articles in the newspapers from 1850 to 1856, and later in his own paper, as to the importance of railroad construction for Texas, were powerful incentives to combined and intelligent action then, and are good reading now; and after a useful and blameless life, expired March 15, 1865, in the sixty-fourth year of his age.

Col. Wallis attended the school of Prof. Ulysses Chapman in the fall of 1849; merchandised one year at Chappell Hill, in 1850; then sold his stock and spent the two sessions of 1851 and the spring session of 1852 at the Chappell Hill Male College; and resumed merchandising in the summer of 1852, which he continued for four years at Chappell Hill, serving at the same time as Postmaster.

He married Miss S. Kate Landes, daughter of Col. D. Landes, of Austin county, Texas, and formerly of Kentucky, February 12, 1860; then sold his mercantile business and engaged in planting on a large scale, his father having retired from business and divided his property among his children; enlisted in the Confederate army early in the war, as a private in Co. B (of which his brother, John C. Wallis, was Captain), 20th Texas Infantry, commanded by Col. H. M. Elmore, and served on the Texas coast, participating in the recapture of Galveston.

He sold his planting interest in Washington county immediately after the war and moved with his family to Galveston, and there, with his brother and Henry A. Landes, who had also sold their plantations, embarked in the wholesale grocery business under the firm name of Wallis, Landes & Co., which was continued without change of the personnel of the firm until the death of Capt. John C. Wallis, May 9, 1872. His brother's interest, after this sad event, was withdrawn. The business has, however, since been continued under the same name. Charles L. Wallis, eldest son of Col. Wallis, was admitted to the firm in 1882, and has since remained one of its members. Col. Wallis has four living children: Charles L., Dan E., Mrs. Pearl Wallis Knox, and Lockhart H.

He was a director and stockholder of the Gulf, Colorado & Santa Fe Railroad Company from its beginning until 1886, and was one of the syndicate of sixteen who constructed the road after its purchase from the old company in the spring of 1879. The value of this line in the development of Texas can hardly be overestimated. In the matter of securing adequate appropriations for obtaining deep water at Galveston, and in every public enterprise of importance, his wisdom has been consulted and his aid solicited, and he has unselfishly worked like a Titan at the fore until success was achieved.

He is connected with the following corporations in the capacities indicated: One of the five directors of The City Company, the oldest and wealthiest in Galveston; President of the Texas Guarantee & Trust Co.; Director of the Galveston & Houston Investment Co.; Vice-President of the Galveston & Western Railroad Co.; Director of the Gulf City Cotton Press Co.; a member of the Cotton Exchange, and a stockholder in nearly all the corporations of the city, and many of the national banks of the State, and also a number of corporations of the North.

The slow growth of civilization out of savagery to its present degree of development is largely due to, and so far as committed to the pages

of history a record of the achievements of, such men. Like cores of granite in mountains that defy the assaults of the elements and the destructive efforts of time, they constitute the basic strength of the countries in which they dwell and, if unhampered, sure harbingers of constantly increasing national wealth and power.

Far-seeing; resourceful and able, Col. Wallis stands among the foremost of his colleagues in that portion of the commercial world embraced within the territorial limits of Texas, and, if the State realizes in the coming years of change and development the high hopes that are now indulged, it will be due largely to the labor he has performed, and is still performing. This volume of the YEAR BOOK being the first of the series, and devoted to the history and present commercial and industrial status of Texas, it is particularly appropriate that it should contain a brief and fitting notice of him as one of the men who have made Texas great. While Col. Wallis is not strong physically, he enjoys good health and bids fair to live and be useful for many years.

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### WAR, SECRETARIES OF, REPUBLIC OF TEXAS.

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Under President *ad interim* David G. Burnet: Thomas J. Rusk, M. B. Lamar,<sup>1</sup> F. A. Sawyer<sup>2</sup> *ad interim* (vice Lamar resigned), Alexander Somervell and John A. Wharton.

Under President Sam Houston (first term): Thomas J. Rusk, William S. Fisher, Barnard E. Bee and George W. Hockley.

Under President M. B. Lamar: Charles Mason, *ad interim*; Albert Sidney Johnston, appointed December 13, 1838, and entered upon the discharge of the duties of the office December 16, 1838; and Branch T. Archer, appointed March, 1840.

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### WAR AND MARINE, SECRETARIES OF, REPUBLIC OF TEXAS.

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Under President Houston (second term): George W. Hockley, appointed December 13, 1841 (M. C. Hamilton, Acting, December 17,

<sup>1</sup>Lamar tendered his resignation March 26, 1836, and a few weeks later retired from the cabinet, alleging that he had done all the good he could, and preferred the quietude of private life.

VELASCO, June 1, 1836.

*To His Excellency, the President, and Members of the Cabinet:*

Permit me, gentlemen, to offer myself, a candidate for the office of Secretary to the Cabinet.

Very respectfully,

F. A. SAWYER.

This request seems to have been more favorably considered than Sawyer anticipated, as he was given a higher appointment than that solicited, as is evidenced by the following letter:

*To His Excellency, D. G. Burnet, President of the Republic of Texas.*

SIR: I have received your note of this morning appointing me to the performance of the duties of Secretary of War *ad interim*. In reply, I have the pleasure to inform you of my acceptance of the appointment.

Very respectfully, your obt. servt.,

F. A. SAWYER.

1842, to January 16, 1843), and George W. Hill, appointed January 16, 1843.<sup>3</sup>

Under President Anson Jones: George W. Hill; Morgan C. Hamilton,<sup>4</sup> *ad interim*, appointed December 9, 1844; and Wm. G. Cooke,<sup>5</sup> appointed March 10, 1845.

### HON. J. A. WAYLAND, CALVERT.

Prominent among the men who in public and private life have been identified with the development and prosperity of Texas may be mentioned Hon. Jno. A. Wayland, of Calvert, Texas, who represents the Twelfth Senatorial District.

Senator Wayland was born in Augusta county, Va., May 25, 1840, where he was reared and where he received the rudiments of that broader education which he later developed by close application and by travel. He is a gentleman of the old Southern school.

When he was just reaching manhood, in April, 1861, he enlisted in the cause of the Southern Confederacy, joining Captain Porter's company at Culpepper Court House, Va. He served throughout the war under Gen. R. E. Lee in Virginia and under Gens. Johnston and Hood in the West. He was wounded at the battle of Manassas. At the time of the general surrender, he was paroled with his command at Meridian, Miss.

Coming to Texas in 1868, he engaged in the mercantile business at Jefferson and later opened a banking house at Rockdale. In 1880, observing the vast possibilities of the agricultural resources of Texas, Senator Wayland began to turn his attention to farming. He traveled East and extended his trip from Europe to the country of the Nile in order to judge from personal inspection the cotton cultivation of that region and its possible output. Thence he went to Palestine, where he visited the important cities referred to in sacred history. He returned home in 1881 and married at Calvert, near which place in Robertson county are situated the fertile Brazos valley plantations owned and operated by him.

As a legislator, Senator Wayland has won a most enviable record. He represented the Sixty-fourth Flotorial Legislative District in the Twenty-fourth Legislature, and the contemporary newspapers said of him: "He is safe and conservative and always at his post." He was

\*The offices of Secretary of War and Secretary of the Navy were consolidated under the name of Secretary of War and Marine, and so continued until the end of the republic.

#### EXECUTIVE DEPARTMENT.

WASHINGTON, 9 Dec., 1844.

The President requests Morgan C. Hamilton, Esq., to take charge, *ad interim*, of the Department of War and Marine of the Republic of Texas, and to proceed to the organization and discharge of the duties thereof—the business of the department requiring early attention.

I have the honor to be,

Very respectfully, yr. obt. servt.,

ANSON JONES.

<sup>3</sup>In 1838, Wm. G. Cooke was appointed quartermaster general, Jacob Snively paymaster general, and P. H. Bell inspector general.

returned to the Twenty-fifth Legislature as a member of the Senate from the district he now represents. So ably did he represent his constituency in the Twenty-fifth and Twenty-sixth Legislatures that he was again elected and returned as a member of the present senatorial body. He has introduced and brought to enactment some very important measures, notably a bill relating to the protection of farmers in the purchase of adulterated fertilizers, including adulterated poison used for the destruction of the cotton worm; another to facilitate the making of bonds by authorizing corporate suretyship thereon; also the "fee bill" and others. He commands the highest regard and confidence of his colleagues and thus seldom fails to accomplish the enactment of the measures he advocates. He is known to be an earnest and assiduous worker and a thorough business man, and in this connection, it may be said that from his first service in the House of the Twenty-fourth Legislature up to and including the present Legislature, he has continuously acted as a member of the Finance Committee. In the Twenty-sixth Senate he was chairman of the Committee on Agricultural Affairs, and in the Twenty-seventh Senate he is chairman of the Committee on Public Debt, Claims and Accounts, and serves as a member of six other important committees.

Senator Wayland has always taken a lively interest in promoting the development of the educational system of the State. When the Senate was locked on the School Text-Book Bill, he answered roll call every time, all night, in defense of the school children of the State. He is a member of four or five fraternal organizations, a prominent Mason and a member of the Episcopal Church.<sup>1</sup>

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## F. A. WILLIAMS, ASSOCIATE JUSTICE OF THE SUPREME COURT.

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F. A. Williams, Associate Justice of the Supreme Court, was born in Macon, Mississippi, October 6, 1851, the son of Bryan T. and Mrs. Helen (Koonce) Williams, North Carolinians by birth and descendants of families who settled in the Carolinas in early colonial days.

Judge Williams was reared and received his literary education in Mississippi; came to Texas in 1871; studied law in the office of D. A. Nunn, at Crockett, and was admitted to the bar in the spring of 1872, his disabilities as a minor being removed for the purpose; practiced law in co-partnership with Judge Nunn until August, 1884, when he was appointed judge of the Third Judicial District by Governor Ireland; was elected judge of the district by the people November 4, 1884 [he was the Democratic nominee for the position when appointed by Governor Ireland]; filled the district judgeship until September 5, 1892, when he was appointed one of the judges of the newly created Court of Civil Appeals for the First Supreme Judicial District, by Governor Hogg; and was elected a judge of said court November 8, 1892, and re-elected November 6, 1894, and was serving as such when appointed Associate Justice of the Supreme Court, by Governor Sayers, May 9, 1899, to fill a vacancy caused by the resignation of Associate Justice Leroy G. Den-

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<sup>1</sup>This sketch of Senator Wayland is furnished the YEAR BOOK by one who has known him long and intimately, and is well qualified to speak of his personal history, and of his high mental and other characteristics, and public services.

man. At the next general election, November 6, 1900, he was elected an Associate Justice of the Supreme Court, having received the Democratic nomination for that office.

Judge Williams was united in marriage to Miss Laura Celeste Fisher at New Waverly, Texas, November 24, 1880.

He came to the Supreme bench with a reputation for legal knowledge and judicial acumen and impartiality that he has fully sustained. His presence on that court admirably fills out and rounds its proportions. The court, as constituted, shines in the galaxy of the judicial heavens with a steady and brilliant radiance, worthy of a tribunal that has been graced in time past by such men as Rusk, Hemphill, Lipscomb, Wheeler and Roberts.

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## WOMAN'S PRESS ASSOCIATION OF TEXAS.

BY DORA FOWLER ARTHUR.

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This organization of Texas women newspaper reporters and contributors was effected in Dallas, Texas, May 10, 1893, by Mrs. Aurelia Hadley Mohl, a veteran of the Texas press. After a few years of successful labor for the Association she had so proudly founded, Mrs. Mohl died at her home in Houston, Texas, much lamented by her colaborers, men and women. At a mid-winter meeting held in Houston in 1900, a fitting monument to the sacred memory of "Mother Mohl" was erected by the women of the Association she had so zealously mothered. May her survivors ever endeavor to reach the high aim "Mother Mohl" had so nobly pointed to in her literary work.

"The objects of the Texas Woman's Press Association shall be to advance and encourage Texas women in literary work; to promote fraternal intercourse with kindred associations outside of the State, and to secure all the benefits resulting from organized effort."

The qualifications for membership are: "Any woman who has published original matter in book or pamphlet form, or in any reputable journal, or who makes illustrations for reputable publications, is eligible to membership."

When the Association was formed the number of active newspaper women was very small, but the membership has grown wonderfully in the few years, and this has been creditably added to by contributors to publications at home and abroad.

Among the early women writers of Texas who still retain their interest and continue their membership in the Association the following well-known ones are still conspicuous: Sydney Smith, Winkler, Walton, Muncey, King, Stone, Shindler and Bringhurst.

Soon after the war between the North and South, Mrs. A. V. Winkler wrote a history of "Hood's Texas Brigade," in which her husband was a gallant Texas officer. Her devotion to her Southland is yet shown in her work as Texas Regent of the Confederate Museum at Richmond, Virginia, and in the Texas Division of the United Daughters of the Confederacy. About two decades ago Mrs. Winkler founded a Texas magazine, called the *Prairie Flower*, at her home town, Corsicana, Texas, but the cold, chilling winds of Texas indifference toward home talent and home enterprise soon faded and chilled to death the young, fragile, but

beautiful, *Prairie Flower*, to the sincere regret of all who had wisely learned to despise not the day of small things in Texas literature.

Mrs. Sydney Smith was editor-in-chief of the *Round Table*, a very creditable publication of Dallas, Texas, which prospered a few years and then died of cold neglect by the State which should have tenderly fostered its worthy effort to make one good Texas magazine. Mrs. Smith has been for years the manager of the Woman's Department of the Dallas State Fair Association, and in that broad field of usefulness has done much to encourage woman's work in Texas, especially along artistic lines.

For several years Mrs. M. E. Muncey, of San Antonio, Texas, conducted the *Gulf Messenger*, a woman's magazine published on our breezy gulf coast, and which ranked first, it is said, in date of birth and number of years, and was of equal merit with the other Texas magazines. This magazine shared a like fate with the others.

Mrs. M. R. Walton was for many years one of the successful newspaper women of the State, but she has in later years been devoting her brain and heart to the noble work for the insane in the State asylum in Austin, where her years are rounding out as they should. She is still alert and active in the affairs of the Association which she has so faithfully served in several offices, being its honored President several terms.

Mrs. V. O. King, of Austin, has written much of the flora of Texas, and her articles were early and eagerly published by Eastern scientific journals. She has been especially enjoyed in descriptions of her travels in Europe and South America, which were published in New Orleans papers. She is a beautiful woman with the snow of many winters on her brow, but with eternal summer in her heart, and she is as busy and happy as the days and years are long.

Mrs. Cornelia Branch Stone, of Galveston, is still a wonderfully active woman in women's organizations; she has only recently retired from the important office of Recording Secretary of the Association, and is the present First Vice-President of the Texas Federation of Women's Clubs.

Mrs. Bringhurst and Mrs. Shindler are far better known as Nettie Powers Houston and Emma Blount, the latter of the old Spanish mission town of San Augustine, and whose father was an early Texas patriot, being one of the signers of Texas independence in 1836. Several years ago the name of Nettie Houston was familiar to Texas readers, being often signed to graceful verse, but after her marriage she attuned her heart to lullabies, and the outer world hears her voice no longer. She is, as all Texans know, a daughter of our illustrious Gen. Sam Houston, the hero of San Jacinto, and her presence in our conventions always stirs patriotic hearts.

Among some of the Texas women authors whose names are prominent in the Association is that of Mrs. Pennybacker, the present President of Texas Federation of Women's Clubs. She is the author of a child's school history of Texas, which is in universal use throughout the State. She was for years one of the leading women teachers in Texas, and still proves herself alert and capable in whatever she puts her hands to.

Mrs. Kate Alma Orgain, of Temple, is one of the brightest stars in the brilliant constellation of Temple pen women, which contains such names as Banks, Bass, Sayre, and Buchanan, the last mentioned being the present honored Secretary of the Association. Mrs. Orgain's Texas stories have been collected in a volume, "A Waif from Texas," which carries with it the color and atmosphere of its native prairies. If a



home-sick Texan should read these storiettes, he would be able to see the lupinus blue o'er all the plain, hear the trill of the mocking birds, smell the wild Texas flowers of the prairies, and over all see God's golden sunshine, and above all His benign blue skies. The stories are as natural, sweet, and unpretentious as the author herself.

Mrs. Nanna Smithwick Donaldson is the author of the "Evolution of a State, or Recollections of Old Texas Days." These recollections were told her by her blind and aged father, and she wrote them out in an endeavor to entertain him in the loneliness of his blindness. After his death she decided to publish them, as they contained many incidents and anecdotes of the first American colonists of the Texas province of old Mexico. Her book is very interesting and written in good style.

Among the women philanthropists of our State the Association numbers many strong, sweet characters, bearing such names as Helen M. Stoddard, Elizabeth Strong Tracey, Johnson, Vredenburgh, Turner, and Miss Armstrong. The great work Mrs. Stoddard has done and is continuing to do for Texas can not be estimated. She has been President of the Texas branch of the Woman's Christian Temperance Union for more than ten years; she has labored long and strenuously with different Texas Legislatures in the noble endeavor to have the age of consent raised in our State; also, for the adoption of a text-book teaching the evils of tobacco and alcohol. Her latest achievement has been in behalf of our State industrial school for girls. She was the only woman appointed by the Governor of Texas to act on the board to locate this very important institution, and she has borne her honors well, reflecting honor on the womanhood of Texas.

Mrs. Johnson is the sweet angel of mercy in the Woman's Rescue Home work, and also editor of the *King's Messenger*, the paper devoted to that line of Christian uplift and upbuilding. Mrs. Vredenburgh, of Austin, is a Christian worker in her home city. She wields an industrious and able pen. Her booklet on the "Divinity of Fatherhood" has been translated into other tongues, and published in New Zealand and Australia. Mrs. Turner, of Terrell, is Mrs. Vredenburgh's successor to the editorial chair of the *Texas White Ribbon*, a paper devoted to temperance and social purity. Miss Armstrong is a busy writer, and Mrs. Tracey now holds the onerous office of Corresponding Secretary of the Association.

No doubt there are others of this sisterhood of busy, unselfish women who are equally worthy of honorable mention, but the limits of this article and of the writer's information preclude a fuller write-up of their literary achievements.

Is it too much to hope that the daughters of Texas may yet awake to their glorious opportunities, and grow in the literary strength and beauty that distinguishes other States of our own Southland? Will our mountains and blooming plains yet give birth to a Charles Egbert Craddock, a Helen Hunt; or our cowboy life give us an undying name of man or woman? Will our picturesque yeomanry, both white and black, bequeath to us a Mary E. Wilkins or a Joel Chandler Harris all our own? Is it too much for us to hope for and dream of Texas writers who shall some day be as great and powerful as our great and proud State? Is it a wild dream one has when one dares to think of Texas magazines filled with Texas brains paid for at the usual rates, and supported by Texas dollars?

Officers of the Texas Woman's Press Association for 1901-1902: Mrs. Hallie M. Dunklin, President, Waco, Texas; Mrs. F. B. Robinson, First

Vice-President, Huntsville, Texas; Mrs. J. J. Arthur, Second Vice-President, Austin, Texas; Mrs. S. J. Wright, Third Vice-President; Paris, Texas; Mrs. Elizabeth Strong Tracey, Corresponding Secretary, Houston, Texas; Mrs. A. C. Buchanan, Recording Secretary, Temple, Texas; Mrs. Mary McClellan O'Hair, Treasurer, Coleman, Texas. Elective Members of the Executive Board: Mrs. Cornelia Branch Stone, Galveston, Texas; Mrs. Sydney Smith, Dallas, Texas; Mrs. H. C. L. Gorman, Fort Worth, Texas.

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### W. H. YOUNG.

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Gen. William H. Young died at his home at 1024 Main Avenue, San Antonio, Texas, Thursday morning, November 28, 1901, of heart failure, and was buried the following day, members of Albert Sidney Johnston Camp of Confederate Veterans acting as pall bearers and Dean Richardson of St. Mark's Episcopal Church conducting the religious services. He left a wife, Mrs. Fannie M. Young, a son (Dr. H. H. Young, of Johns-Hopkins University), and brother, N. A. Young, to mourn, with thousands of friends, his loss. By profession he was a lawyer, but devoted his time, in his later years, to the land business, in which he was engaged with his brother.

He was born in Booneville, Mo., January 1, 1838, and was a direct descendant of the first English settlers in Old West Augusta county, in the valley of Virginia.

His father, Hugh F. Young, was in early life sheriff of Rockbridge county, Va.; was later a merchant at Yazoo City, Miss., where he married; located at Booneville, Mo., after his marriage; moved to Clarksville, Texas, in 1841, and thence to Sherman in 1853; was Brigadier-General of State troops in 1861-65; and after the war moved to San Antonio.

Gen. W. H. Young was a student at the University of Virginia in 1861; was elected Captain of a company of 100 men at San Antonio in September, 1861, and, being mustered into the Confederate army with his men, was assigned to the regiment of Col. S. B. Maxey; was promoted to the colonelcy of the regiment after the battle of Shiloh, Col. Maxey having been made Brigadier General; took part in the fighting around Corinth; participated in the battles of Perryville and Murfreesboro (having two horses shot from under him and being wounded in the shoulder in the latter engagement); was in the fighting around Jackson after the fall of Vicksburg; was shot through the left breast at Chickamauga; was ever at the front in the Atlanta campaign from Cassville to Atlanta; was promoted to Brigadier General August 15, 1864, to succeed Gen. M. D. Ector, that commander having been disabled from further field service, by the loss of a leg; when Hood moved north from Atlanta, was, as part of French's division, detailed to storm Altoona Heights; had his horse killed under him and his left ankle shattered in the charge; while hobbling to the rear was captured by Federal cavalry; was confined in Union hospitals at Marietta, Atlanta and Chattanooga until February, 1865; was then imprisoned at Johnson's Island until July 25, 1865, when he was released, and then returned to San Antonio,

where he read law, was admitted to the bar, and for years was actively and successfully engaged in practice, which he finally abandoned to look after large property interests.

He was married to Miss Fannie M. Kemper, daughter of Dr. Geo. W. Kemper, Jr., at Port Republic, Va., November 3, 1869.

He was a man of noble and commanding presence, and possessed of high virtues.

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## ADDENDA.

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### SUPREME COURT.

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The following additional statements are necessary to render the outline of the history of the court complete:

The Eighth Congress passed a joint resolution (approved February 1, 1844) proposing to so amend the Constitution as to provide that the Supreme Court should consist of a Chief Justice and two Associate Justices, elected by joint ballot of Congress. The amendment was not submitted to and voted upon by the people.

The Ninth Congress passed a similar resolution (approved February 3, 1845), but it, too, was not voted upon—the reason being that the United States Congress passed a resolution (approved March 1, 1845) providing for the annexation of Texas, and July 4th a convention assembled at Austin and framed a Constitution (completed August 27th) for Texas as a State of the Union and making the changes, as to the court, contemplated by the previously proposed amendment to the Constitution of 1836.

Owing to Judge Willie's connection with the court, Col. Sexton's prominence as a lawyer, ex-Confederate Congressman, and member of the Masonic fraternity, and Judge Crosby's standing in the legal profession, the following act passed by the Second Legislature is of interest:

"An Act to admit Franklin B. Sexton, Asa H. Willie, and Josiah F. Crosby to practice law in the courts of this State.

"SECTION 1. *Be it enacted by the Legislature of the State of Texas:* That Franklin B. Sexton, Asa H. Willie and Josiah F. Crosby be, and they are hereby, admitted to practice law in all of the courts of this State; provided, that the said Franklin B. Sexton, Asa H. Willie and Josiah F. Crosby, after undergoing an examination as required by law, be deemed qualified for admission; and provided also, that the said Franklin B. Sexton, Asa H. Willie and Josiah F. Crosby shall not, by reason of their minority, be exempt from liability upon their professional engagements.

"SEC. 2. Be it further enacted, that this act take effect from and after its passage.

"Approved January 10, 1848."

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## ERRATUM.

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Page 235, read "By Mrs. Fannie Gooch Iglehart" for "By Mrs. Fannie Gooch Iglehart."



# INDEX.

For executive and other officers, and their terms of service, under the Permanent Council, Provisional Government, Government *ad interim*, Republic of Texas and State of Texas, for like information concerning heads of departments and institutions, members of conventions (from 1832 to 1875), members of Congress (Republic of Texas, Confederate and United States), see index below for article covering the period, department, Congress, institutions, etc. For records of public service of S. F. Austin, R. R. Royall, Henry Smith, David G. Burnet, Gen. Sam Houston, M. B. Lamar, Anson Jones, J. Pinckney Henderson, or others, turn to articles covering each position in which they served. For facts relating to the history of art and literature, industrial development, etc., consult articles covering subjects. The articles devoted to State departments and institutions contain the principal facts connected with their establishment and subsequent history.

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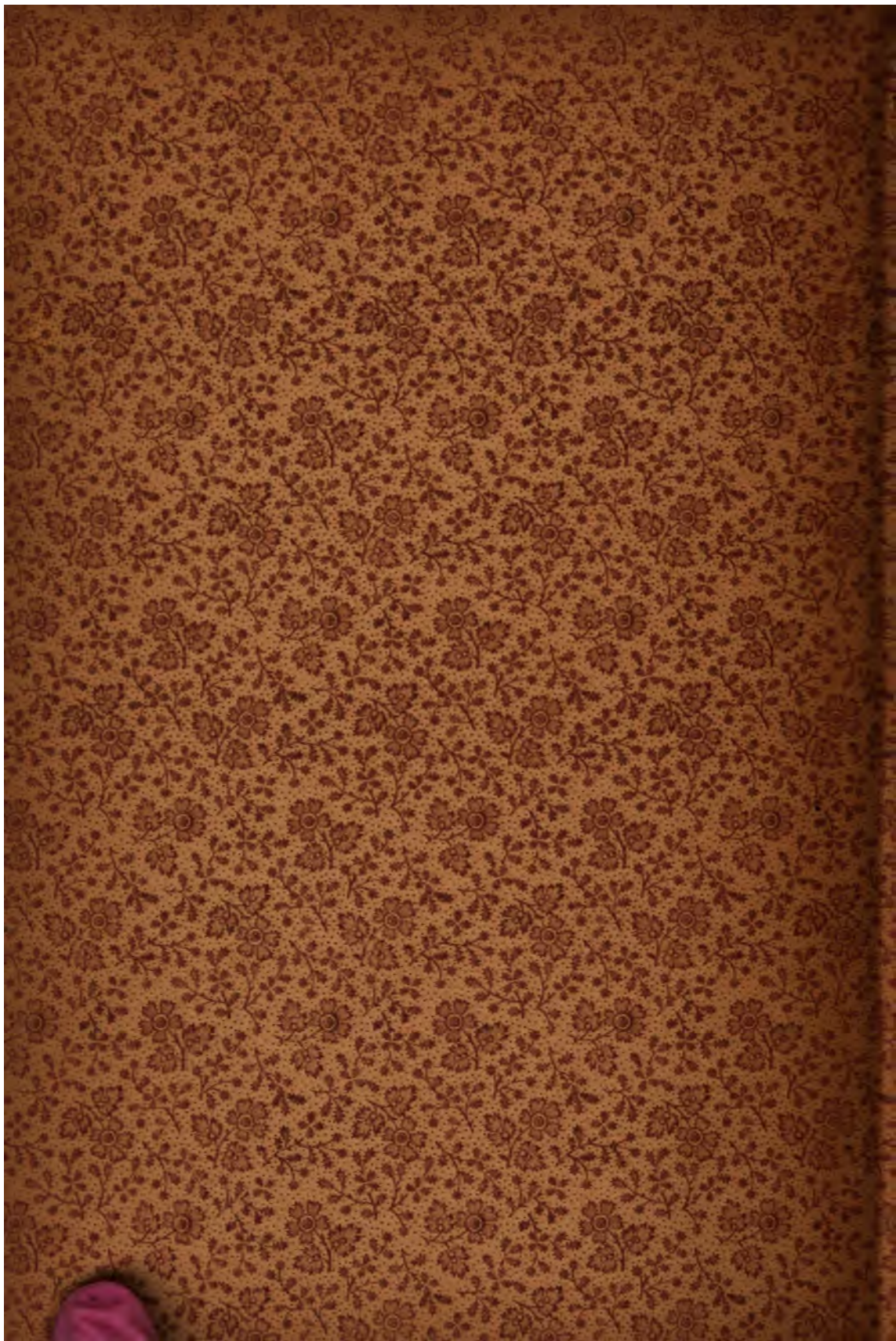
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